

H.R. 4474: Mr. ANDREWS of New Jersey, Mr. HOLDEN, Mr. COX, Mr. RAMSTAD, and Mr. TALENT.

H.R. 4477: Mr. HAYES, Mr. MAZZOLI, Mr. JACOBS, Mr. BLUTE, Mr. SMITH of Oregon, Mr. CLAY, Mr. DARDEN, Mrs. LLOYD, Mr. UNDERWOOD, Mr. MURPHY, Mr. CLEMENT, Mr. ROTH, Mr. HUTCHINSON, Mr. MORAN, and Mr. BAKER of Louisiana.

H.R. 4610: Mr. EVANS, Mr. PARKER, Mr. BOUCHER, Mr. DICKEY, Mr. CRAMER, and Mr. BACHUS of Alabama.

H.R. 4702: Mr. MORAN, Mrs. MORELLA, and Mrs. ROUKEMA.

H.R. 4708: Mr. FOGLIETTA.

H.R. 4791: Mr. FRANKS of New Jersey, Mr. PACKARD, and Mr. FIELDS of Texas.

H.R. 4826: Mr. KINGSTON, Mr. EMERSON, Mr. HANSEN, Mr. KOLBE, and Mr. LEVY.

H.R. 4828: Mr. BARRETT of Wisconsin, Mr. BLUTE, Ms. LOWEY, Mr. DEUTSCH, Mr. FRANK of Massachusetts, Ms. SCHENK, and Mr. THORNTON.

H.R. 4831: Mr. GINGRICH.

H.R. 4841: Mr. OLVER and Mr. YATES.

H.J. Res. 365: Mr. CONYERS, Mr. BLILEY, and Mr. GENE GREEN of Texas.

H.J. Res. 369: Mr. HEFNER, Mr. GORDON, and Mr. HOBSON.

H.J. Res. 385: Mr. LANTOS, Ms. DELAURIO, and Mr. SMITH of Oregon.

H.J. Res. 397: Mr. DE LUGO, Mr. DIAZ-BALART, Mr. ORTIZ, Ms. VELÁZQUEZ, Mr. RICHARDSON, Mr. LAFALCE, Mr. ROMERO-BARCELO, Ms. ROYBAL-ALLARD, Mr. NEAL of Massachusetts, Mr. FAZIO, Mr. SERRANO, Mr. KOPETSKI, Mr. LIPINSKI, Mr. SARPALIUS, Mr. FILNER, Mr. BERMAN, Mrs. MINK of Hawaii, Mr. DE LA GARZA, and Mr. MCDERMOTT.

H. Con. Res. 249: Mr. GILMAN, Mr. HASTINGS, Mr. JOHNSON of South Dakota, Mr. PRICE of North Carolina, Mr. GUNDERSON, Mr. PORTER, Mr. ROSE, Ms. FURSE, Mr. MACHTELY, and Mr. LIPINSKI.

H. Con. Res. 254: Mr. WAXMAN.

H. Con. Res. 274: Mr. TOWNS and Mr. DINGELL.

H. Con. Res. 276: Mr. JOHNSON of South Dakota, Mr. WALKER, Mr. MEEHAN, Mrs. JOHNSON of Connecticut, Mrs. MINK of Hawaii, Mr. FIELDS of Texas, Mr. PRICE of North Carolina, Mr. BEILENSON, Mr. LAROCCO, Mr. LIGHTFOOT, Mr. MCHUGH, Mrs. ROUKEMA, Mr. BEREUTER, Mr. CAMP, Mr. KLECZKA, Mr. KILDEE, Mr. WALSH, Mr. WAXMAN, Mr. MINGE, Mr. VISCLOSKEY, Mr. COSTELLO, Mr. LEACH, Mrs. LLOYD, Ms. PELOSI, Ms. FURSE, Mr. STENHOLM, Ms. WOOLSEY, Mr. LEVY, Mr. BROWN of California, and Mr. SCHUMER.

H. Res. 424: Mr. HUTTO and Mr. LIPINSKI.

H. Res. 473: Mr. BARRETT of Wisconsin.

## TUESDAY, AUGUST 16, 1994 (97)

### 197.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. KLINK, at 10:30 a.m., who laid before the House the following communication:

WASHINGTON, DC,  
August 16, 1994.

I hereby designate the Honorable RON KLINK to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,  
*Speaker of the House of Representatives.*

Whereupon, pursuant to the order of the House of Friday, February 11, 1994, and Friday, June 10, 1994, Members were recognized for "morning hour" debates.

### 197.2 RECESS—11:28 A.M.

The SPEAKER pro tempore, Mr. KLINK, pursuant to clause 12 of rule I,

declared the House in recess at 11 o'clock and 28 minutes until 12 o'clock noon.

### 197.3 AFTER RECESS—12:00 NOON

The SPEAKER called the House to order.

### 197.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Friday, August 12, 1994.

Mr. SYNAR, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. SYNAR objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 5, rule I, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

### 197.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

3695. A letter from the Acting Director, Office of Management and Budget, transmitting notification that the President intends to exempt all military personnel accounts from sequester for fiscal year 1995, pursuant to Public Law 101-508, section 13101(c)(4) (104 Stat. 1388-589); to the Committee on Appropriations.

3696. A letter from the Director, Congressional Budget Office, transmitting CBO's sequestration update report for fiscal year 1995, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-587); to the Committee on Appropriations.

3697. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving United States exports to the Republic of Argentina, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking, Finance and Urban Affairs.

3698. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-323, "Comprehensive Plan Amendments Act of 1994", pursuant to D.C. Code section 1-233(c)(1); to the Committee on the District of Columbia.

3699. A letter from the Secretary of Education, transmitting final regulations—Chapter 1 Program in Local Educational Agencies; Chapter 1 Migrant Education Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3700. A letter from the Chairperson, National Council on Disability, transmitting a copy of a report on the study of the implementation of the least restrictive environment provisions of IDEA in Massachusetts and Illinois, pursuant to 29 U.S.C. 781(a)(8); to the Committee on Education and Labor.

3701. A letter from the Inspector General of the Department of Health and Human Services, transmitting a report on Superfund financial activities at the National Institute of Environmental Health Sciences for fiscal year 1992, pursuant to 31 U.S.C. 7501 nt.; to the Committee on Energy and Commerce.

3702. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting notification that the President has author-

ized the use of \$1 million of funds made available for International Military Education and Training [IMET] to increase programs for the emerging democracies of Central and Eastern Europe and for the former Soviet Union (Presidential Determination No. 94-40), pursuant to 22 U.S.C. 2364(a)(i); to the Committee on Foreign Affairs.

3703. A letter from the Assistant Secretary (Legislative Affairs), Department of State, transmitting a report on the President's Determination (No. 94-42) on drawdown of commodities and services from the inventory and resources of the Department of the Treasury to support sanction enforcement efforts against Serbia and Montenegro, pursuant to 22 U.S.C. 2348a; to the Committee on Foreign Affairs.

3704. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions by Kenneth Spencer Yalowitz, of Virginia, to be Ambassador to the Republic of Belarus, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3705. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

3706. A letter from the Chair, Federal Energy Regulatory Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1993, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

3707. A letter from the Assistant Attorney General, Department of Justice, transmitting a copy of the "Office of Crime Report" during the fiscal years 1990 and 1991, pursuant to 42 U.S.C. 10604(g); to the Committee on the Judiciary.

3708. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation entitled, the "Maritime Regulatory Reform Act of 1994"; to the Committee on Merchant Marine and Fisheries.

3709. A letter from the Department of the Army, transmitting the Department's Rio Grande De Arcicibo feasibility report; to the Committee on Public Works and Transportation.

3710. A letter from the Acting Chairman, Nuclear Regulatory Commission, transmitting a report on the nondisclosure of Safeguards Information for the quarter ending June 30, 1994, pursuant to 42 U.S.C. 2167(d); jointly, to the Committees on Energy and Commerce and Natural Resources.

3711. A letter from the Chief Staff Counsel, United States Court of Appeals, transmitting one opinion of the United States Court of Appeals for the District of Columbia Circuit; jointly, to the Committees on Energy and Commerce and Public Works and Transportation.

3712. A letter from the Assistant Secretary (Legislative Affairs), Department of State, transmitting a report covering certain properties with the Panama Canal Treaty and its related agreements, pursuant to 22 U.S.C. 3784(b); jointly, to the Committees on the Foreign Affairs and Merchant Marine and Fisheries.

### 197.6 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 4299. An Act to authorize appropriations for fiscal year 1995 for intelligence and

intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes;

H.R. 4554. An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1995, and for other purposes; and

H.R. 4650. An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes.

The message also announced that the Senate insisted upon its amendment to the bill (H.R. 4299) "An Act to authorize appropriations for fiscal year 1995 for intelligence and intelligence-related activities of the United States government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes," requested a conference with the House on the disagreeing votes of the two Houses thereon, and appointed Mr. DECONCINI, Mr. METZENBAUM, Mr. GLENN, Mr. KERREY, Mr. BRYAN, Mr. GRAHAM, Mr. KERRY, Mr. BAUCUS, Mr. JOHNSTON, Mr. WARNER, Mr. D'AMATO, Mr. DANFORTH, Mr. GORTON, Mr. CHAFEE, Mr. STEVENS, Mr. LUGAR, and Mr. WALLOP; and appointed from the Committee on Armed Services: Mr. NUNN and Mr. THURMOND; to be the conferees on the part of the Senate.

The message also announced that the Senate insisted upon its amendments to the bill (H.R. 4554) "An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1995, and for other purposes," requested a new conference with the House on the disagreeing votes of the two Houses thereon, and appointed Mr. BUMPERS, Mr. HARKIN, Mr. KERREY, Mr. JOHNSTON, Mr. KOHL, Mrs. FEINSTEIN, Mr. BYRD, Mr. COCHRAN, Mr. SPECTER, Mr. BOND, Mr. GRAMM, Mr. GORTON, and Mr. HATFIELD; to be the conferees on the part of the Senate.

The message also announced that the Senate insisted upon its amendments to the bill (H.R. 4650) "An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes," requested a conference with the House on the disagreeing votes of the two Houses thereon, and appointed Mr. INOUE, Mr. HOLLINGS, Mr. JOHNSTON, Mr. BYRD, Mr. LEAHY, Mr. SASSER, Mr. DECONCINI, Mr. BUMPERS, Mr. LAUTENBERG, Mr. HARKIN, Mr. STEVENS, Mr. D'AMATO, Mr. COCHRAN, Mr. SPECTER, Mr. DOMENICI, Mr. NICKLES, Mr. GRAMM, Mr. BOND, and Mr. HATFIELD; to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill and joint resolution of the following titles, in which the concurrence of the House is requested:

S. 784. An Act to amend the Federal Food, Drug, and cosmetic Act to establish stand-

ards with respect to dietary supplements, and for other purposes;

S.J. Res. 185. Joint Resolution to designate October 1994 as "National Breast Cancer Awareness Month";

S.J. Res. 192. Joint Resolution to designate October 1994 as "Crime Prevention Month"; and

S.J. Res. 198. Joint Resolution designating 1995 the "Year of the Grandparent."

The message also announced that the Senate agreed to the amendments of the House to the resolution (S.J. Res. 153) entitled "Joint resolution to designate the week beginning on November 21, 1993 and ending on November 27, 1993, and the week beginning on November 20, 1994 and ending on November 26, 1994, as National Family Caregivers Week."

#### ¶197.7 PRIVATE CALENDAR BUSINESS DISPENSED WITH

On motion of Mr. SENSENBRENNER, by unanimous consent,

*Ordered*, That business in order today, under clause 6, rule XXIV, the Private Calendar rule, be dispensed with.

#### ¶197.8 EXTEND SATELLITE BROADCAST RETRANSMISSION RIGHTS

Mr. BROOKS moved to suspend the rules and pass the bill (H.R. 1103) to amend title 17, United States Code, with respect to secondary transmissions of superstations and network stations for private home viewing, and with respect to cable systems; as amended.

The SPEAKER pro tempore, Mr. TRAFICANT, recognized Mr. BROOKS and Mr. MOORHEAD, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. TRAFICANT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

On motion of Mr. BROOKS, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill of Senate (S. 1485) to extend certain satellite carrier compulsory licenses, and for other purposes.

When said bill was considered and read twice.

Mr. BROOKS submitted the following amendment, which was agreed to:

Strike out all after the enacting clause and insert the provisions of H.R. 1103, as passed by the House.

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: "An Act to amend title 17, United States Code, with respect to secondary transmissions of superstations and network stations for private home viewing, and with respect to cable systems."

A motion to reconsider the votes whereby said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

On motion of Mr. BROOKS, by unanimous consent, it was,

*Resolved*, That the House insist upon its amendments to the foregoing bill and request a conference with the Senate on the disagreeing votes of the two Houses thereon.

Thereupon, the SPEAKER pro tempore, Mr. TRAFICANT, by unanimous consent, announced the appointment of Messrs. BROOKS, HUGHES, SYNAR, BOUCHER, FRANK, MOORHEAD, COBLE and FISH, as managers on the part of the House at said conference.

*Ordered*, That the Clerk notify the Senate thereof.

By unanimous consent, H.R. 1103, a similar House bill, was laid on the table.

#### ¶197.9 PARK BOUNDARY ADJUSTMENTS AND MISCELLANEOUS

Mr. VENTO moved to suspend the rules and agree to the following resolution (H. Res. 520):

*Resolved*, That, upon adoption of this resolution, the bill (H.R. 1305) to make boundary adjustments and other miscellaneous changes to authorities and programs of the National Park Service, with the Senate amendment thereto, shall be considered to have been taken from the Speaker's table, and the same hereby agreed to with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate, insert the following:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Minor Boundary Adjustments and Miscellaneous Park Amendments Act of 1994".

##### TITLE I—MINOR BOUNDARY ADJUSTMENTS

##### SEC. 101. YUCCA HOUSE NATIONAL MONUMENT BOUNDARY ADJUSTMENT.

(a) IN GENERAL.—The boundaries of Yucca House National Monument are revised to include the approximately 24.27 acres of land generally depicted on the map entitled "Boundary—Yucca House National Monument, Colorado", numbered 318/80,001-B, and dated February 1990.

(b) MAP.—The map referred to in subsection (a) shall be on file and available for public inspection in appropriate offices of the National Park Service of the Department of the Interior.

(c) ACQUISITION BY DONATION.—(1) Within the lands described in subsection (a), the Secretary of the Interior may acquire lands and interests in lands by donation.

(2) The Secretary of the Interior may pay administrative costs arising out of any donation described in paragraph (1) with appropriated funds.

##### SEC. 102. ZION NATIONAL PARK BOUNDARY ADJUSTMENT.

(a) ACQUISITION AND BOUNDARY CHANGE.—The Secretary of the Interior is authorized to acquire by exchange approximately 5.48 acres located in the SW¼ of Section 28, Township 41 South, Range 10 West, Salt Lake Base and Meridian. In exchange therefor the Secretary is authorized to convey all right, title, and interest of the United States in and to approximately 5.51 acres in Lot 2 of Section 5, Township 41 South, Range 11 West, both parcels of land being in Washington County, Utah. Upon completion of such exchange, the Secretary is authorized to revise

the boundary of Zion National Park to add the 5.48 acres in Section 28 to the park and to exclude the 5.51 acres in Section 5 from the park. Land added to the park shall be administered as part of the park in accordance with the laws and regulations applicable thereto.

(b) EXPIRATION.—The authority granted by this section shall expire two years after the date of the enactment of this Act.

**SEC. 103. PICTURED ROCKS NATIONAL LAKE-SHORE BOUNDARY ADJUSTMENT.**

The boundary of Pictured Rocks National Lakeshore is hereby modified as depicted on a map entitled "Area Proposed for Addition to Pictured Rocks National Lakeshore", numbered 625-80, 043A and dated July 1992.

**SEC. 104. INDEPENDENCE NATIONAL HISTORICAL PARK BOUNDARY ADJUSTMENT.**

The administrative boundary between Independence National Historical Park and the United States Customs House along the Moravian Street Walkway in Philadelphia, Pennsylvania, is hereby modified as generally depicted on the drawing entitled "Exhibit 1, Independence National Historical Park, Boundary Adjustment", and dated May 1987, which shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. The Secretary of the Interior is authorized to accept and transfer jurisdiction over property in accord with such administrative boundary, as modified by this section.

**SEC. 105. CRATERS OF THE MOON NATIONAL MONUMENT BOUNDARY ADJUSTMENT.**

(a) BOUNDARY REVISION.—The boundary of Craters of the Moon National Monument, Idaho, is revised to add approximately 210 acres and to delete approximately 315 acres as generally depicted on the map entitled "Craters of the Moon National Monument, Idaho, Proposed 1987 Boundary Adjustment", numbered 131-80,008, and dated October 1987, which map shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior.

(b) ADMINISTRATION AND ACQUISITION.—Federal lands, and interests therein deleted from the boundary of the national monument by this section shall be administered by the Secretary of the Interior through the Bureau of Land Management in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), and Federal lands, and interests therein added to the national monument by this section shall be administered by the Secretary as part of the national monument, subject to the laws and regulations applicable thereto. The Secretary is authorized to acquire private lands, and interests therein within the boundary of the national monument by donation, purchase with donated or appropriated funds, or exchange, and when acquired they shall be administered by the Secretary as part of the national monument, subject to the laws and regulations applicable thereto.

**SEC. 106. HAGERMAN FOSSIL BEDS NATIONAL MONUMENT BOUNDARY ADJUSTMENT.**

Section 302 of the Arizona-Idaho Conservation Act of 1988 (102 Stat. 4576) is amended by adding the following new subsection:

"(d) To further the purposes of the monument, the Secretary is also authorized to acquire from willing sellers only, by donation, purchase with donated or appropriated funds, or exchange not to exceed 65 acres outside the boundary depicted on the map referred to in section 301 and develop and operate thereon research, information, interpretive, and administrative facilities. Lands acquired and facilities developed pursuant to this subsection shall be administered by the Secretary as part of the monument. The bound-

ary of the monument shall be modified to include the lands added under this subsection as a noncontiguous parcel."

**SEC. 107. WUPATKI NATIONAL MONUMENT BOUNDARY ADJUSTMENT.**

The boundary of the Wupatki National Monument, Arizona, is hereby revised to include the lands and interests in lands within the area generally depicted as "Proposed Addition 168.89 Acres" on the map entitled "Boundary—Wupatki and Sunset Crater National Monuments, Arizona", numbered 322-80,021, and dated April 1989. The map shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior. Subject to valid existing rights, Federal lands, and interests therein within the area added to the monument by this section are hereby transferred without monetary consideration or reimbursement to the administrative jurisdiction of the National Park Service, to be administered as part of the monument in accordance with the laws and regulations applicable thereto.

**TITLE II—MISCELLANEOUS SPECIFIC PARK AMENDMENTS**

**SEC. 201. ADVISORY COMMISSIONS.**

(a) KALOKO-HONOKOHOU NATIONAL HISTORICAL PARK, HI.—

(1) This subsection may be cited as the "Na Hoa Pili Kaloko-Honokohau Re-establishment Act of 1994".

(2) Notwithstanding section 505(f)(7) of Public Law 95-625 (16 U.S.C. 396d(7)), the Na Hoa Pili O Kaloko-Honokohau, the Advisory Commission for Kaloko-Honokohau National Historical Park, is hereby re-established in accordance with section 505(f), as amended by subsection (b) of this section.

(3) Section 505(f)(7) of Public Law 95-625 (16 U.S.C. 396d(7)), is amended by striking "this Act" and inserting in lieu thereof, "the Na Hoa Pili Kaloko-Honokohau Re-establishment Act of 1994".

(b) WOMEN'S RIGHTS NATIONAL HISTORICAL PARK, NY.—Section 1601(h)(5) of the Act of December 28, 1980 (16 U.S.C. 4101(h)(5)), is amended by striking "ten years" and inserting in lieu thereof "twenty-five years".

**SEC. 202. AMENDMENT OF BOSTON NATIONAL HISTORIC PARK ACT.**

Section 3(b) of the Boston National Historical Park Act of 1974 (16 U.S.C. 410z-1(b)) is amended by inserting "(1)" before the first sentence thereof and by adding the following at the end thereof:

"(2) The Secretary of the Interior is authorized to enter into a cooperative agreement with the Boston Public Library to provide for the distribution of informational and interpretive materials relating to the park and to the Freedom Trail."

**TITLE III—GENERAL AUTHORIZATIONS AND REPEALS**

**SEC. 301. LIMITATION ON PARK BUILDINGS.**

The 10th undesignated paragraph (relating to a limitation on the expenditure of funds for park buildings) under the heading "MISCELLANEOUS OBJECTS, DEPARTMENT OF THE INTERIOR", which appears under the heading "UNDER THE DEPARTMENT OF THE INTERIOR", as contained in the first section of the Act of August 24, 1912 (37 Stat. 460), as amended (16 U.S.C. 451), is hereby repealed.

**SEC. 302. APPROPRIATIONS FOR TRANSPORTATION OF CHILDREN.**

The first section of the Act of August 7, 1946 (16 U.S.C. 17j-2), is amended by adding at the end the following:

"(j) Provide transportation for children in nearby communities to and from any unit of the National Park System used in connection with organized recreation and interpretive programs of the National Park Service."

**SEC. 303. FERAL BURROS AND HORSES.**

Section 9 of the Act of December 15, 1971 (16 U.S.C. 1338a), is amended by adding at the end thereof the following: "Nothing in this Act shall be deemed to limit the authority of the Secretary in the management of units of the National Park System, and the Secretary may, without regard either to the provisions of this Act, or section 47(a) of title 18, United States Code, use motor vehicles, fixed-wing aircraft and helicopters, or contract for such use, in furtherance of the management of the National Park System, and the provisions of section 47(a) of title 18, United States Code, shall not be applicable to such use."

**SEC. 304. AUTHORITIES OF THE SECRETARY OF THE INTERIOR RELATING TO MUSEUMS.**

(a) FUNCTIONS.—The Act entitled "An Act to increase the public benefits from the National Park System by facilitating the management of museum properties relating thereto, and for other purposes" approved July 1, 1955 (16 U.S.C. 18f), is amended—

(1) in paragraph (b) of the first section, by striking out "from such donations and bequests of money"; and

(2) by adding at the end thereof the following:

**"SEC. 2. ADDITIONAL FUNCTIONS.**

"(a) In addition to the functions specified in the first section of this Act, the Secretary of the Interior may perform the following functions in such manner as he shall consider to be in the public interest:

"(1) Transfer museum objects and museum collections that the Secretary determines are no longer needed for museum purposes to qualified Federal agencies that have programs to preserve and interpret cultural or natural heritage, and accept the transfer of museum objects and museum collections for the purposes of this Act from any other Federal agency, without reimbursement. The head of any other Federal agency may transfer, without reimbursement, museum objects and museum collections directly to the administrative jurisdiction of the Secretary of the Interior for the purposes of this Act.

"(2) Convey museum objects and museum collections that the Secretary determines are no longer needed for museum purposes, without monetary consideration but subject to such terms and conditions as the Secretary deems necessary, to private institutions exempt from Federal taxation under section 501(c)(3) of the Internal Revenue Code of 1986 and to non-Federal governmental entities if the Secretary determines that the recipient is dedicated to the preservation and interpretation of natural or cultural heritage and is qualified to manage the property, prior to any conveyance under this subsection.

"(3) Destroy or cause to be destroyed museum objects and museum collections that the Secretary determines to have no scientific, cultural, historic, educational, esthetic, or monetary value.

"(b) The Secretary shall ensure that museum objects and museum collections are treated in a careful and deliberate manner that protects the public interest. Prior to taking any action under subsection (a), the Secretary shall establish a systematic review and approval process, including consultation with appropriate experts, that meets the highest standards of the museum profession for all actions taken under this section."

(b) APPLICATION AND DEFINITIONS.—The Act entitled "An Act to increase the public benefits from the National Park System by facilitating the management of museum properties relating thereto, and for other purposes" approved July 1, 1955 (16 U.S.C. 18f), as amended by subsection (a), is further amended by adding the following:

**"SEC. 3. APPLICATION AND DEFINITIONS.**

"(a) APPLICATION.—Authorities in this Act shall be available to the Secretary of the Interior with regard to museum objects and museum collections that were under the administrative jurisdiction of the Secretary for purposes of the National Park System before the date of enactment of this section as well as those museum objects and museum collections that may be acquired on or after such date.

"(b) DEFINITIONS.—For the purposes of this Act, the terms 'museum objects' and 'museum collections' mean objects that are eligible to be or are made part of a museum, library, or archive collection through a formal procedure, such as accessioning. Such objects are usually movable and include but are not limited to prehistoric and historic artifacts, works of art, books, documents, photographs, and natural history specimens."

**SEC. 305. VOLUNTEERS IN THE PARKS INCREASE.**

Section 4 of the Volunteers in the Parks Act of 1969 (16 U.S.C. 18j) is amended by striking out "\$1,000,000" and inserting in lieu thereof "\$1,750,000".

**SEC. 306. COOPERATIVE AGREEMENTS FOR RESEARCH PURPOSES.**

Section 3 of the Act entitled "An Act to improve the administration of the National Park System by the Secretary of the Interior, and to clarify the authorities applicable to the system, and for other purposes" approved August 18, 1970 (16 U.S.C. 1a-2), is amended—

(1) in paragraph (i), by striking out the period at the end thereof and inserting in lieu thereof "; and"; and

(2) by adding at the end thereof the following:

"(j) enter into cooperative agreements with public or private educational institutions, States, and their political subdivisions, or private conservation organizations for the purpose of developing adequate, coordinated, cooperative research and training programs concerning the resources of the National Park System, and, pursuant to such agreements, to accept from and make available to the cooperator such technical and support staff, financial assistance for mutually agreed upon research projects, supplies and equipment, facilities, and administrative services relating to cooperative research units as the Secretary deems appropriate; except that this paragraph shall not waive any requirements for research projects that are subject to the Federal procurement regulations."

**SEC. 307. CARL GARNER FEDERAL LANDS CLEANUP DAY.**

The Federal Lands Cleanup Act of 1985 (36 U.S.C. 1691-1691-1) is amended by striking "Federal Lands Cleanup Day" each place it occurs and inserting in lieu thereof, "Carl Garner Federal Lands Cleanup Day".

The SPEAKER pro tempore, Mr. TRAFICANT, recognized Mr. VENTO and Mr. ALLARD, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. TRAFICANT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

*Ordered.* That the Clerk notify the Senate thereof.

**¶197.10 FARMINGTON WILD AND SCENIC RIVER**

Mr. VENTO moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 2815) to designate a portion of the Farmington River in Connecticut as a component of the National Wild and Scenic Rivers System:

Page 4, strike out lines 4 to 23 and insert:

(6) the Colebrook Dam and Goodwin Dam hydroelectric projects are located outside the river segment designated by section 3, and based on the study of the Farmington River pursuant to Public Law 99-590, continuation of the existing operation of these projects as presently configured, including associated transmission lines and other existing project works, is compatible with the designation made by section 3 and will not unreasonably diminish the scenic, recreational, and fish and wildlife values of the segment designated by such section as of the date of enactment of this Act.

Page 6, strike out lines 2 to 4 insert:

(a) COMMITTEE.—The Director of the National Park Service, or his or her designee, shall represent the Secretary on the Farmington River Coordinating Committee provided for in the plan.

Page 6, line 5, strike out all after "ROLE.—" down to and including "(2)" in line 15 and insert: (1)

Page 7, line 7, strike out "(3)" and insert "(2)".

Page 7, line 10, strike out "(4)" and insert "(3)".

Page 7, line 21, strike out "Director" and insert "Secretary".

Page 8, strike out lines 23, and 24.

Page 9, line 1, strike out "(3)" and insert "(2)".

Page 9, line 7, strike out "(4)" and insert "(3)".

The SPEAKER pro tempore, Mr. TRAFICANT, recognized Mr. VENTO and Mr. ALLARD, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mr. TRAFICANT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments were agreed to was, by unanimous consent, laid on the table.

*Ordered.* That the Clerk notify the Senate thereof.

**¶197.11 BLACK REVOLUTIONARY WAR PATRIOTS/WOMEN MILITARY MEMORIALS**

Mr. VENTO moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 2947) to extend for a additional two years the authorization of the Black Revolutionary War Patriots Foundation to establish a memorial:

Page 6, line 1, after "Administrator" insert "(as appropriate)".

Page 6, line 3, after "the" insert "Secretary or Administrator determines the fundraising efforts with respect to the commemorative work have misrepresented an affiliation with the commemorative work or the United States".

Page 6, strike out lines 4 to 13.

Page 6, lines 15 and 16, strike out "operations prepared" and insert "operations, including financial statements audited".

Page 6, line 18, strike out "work." and insert "work."

Page 6, strike out lines 19 to 25.

Page 7, line 6, strike out "(1) Section" and insert "Section".

Page 7, strike out lines 12 to 16.

The SPEAKER pro tempore, Mr. TRAFICANT, recognized Mr. VENTO and Mr. ALLARD, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments?

The SPEAKER pro tempore, Mr. TRAFICANT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. VENTO demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. TRAFICANT, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

**¶197.12 SUBPOENA**

The SPEAKER pro tempore, Mr. TRAFICANT, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,  
Washington, DC, August 10, 1994.

Hon. THOMAS FOLEY,  
Speaker of the House,  
The Capitol, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that a member of my staff has been served with a subpoena issued by the Circuit Court for the Sixteenth Judicial District, County of Kane, Illinois relating to a constituent casework matter.

After consultation with the General Counsel to the House, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

J. DENNIS HASTERT,  
Member of Congress.

**¶197.13 FBI EMPLOYEES PLACEMENT ASSISTANCE**

Mr. MCCLOSKEY moved to suspend the rules and pass the bill (H.R. 4884) to authorize noncompetitive, career or career-conditional appointments for employees of the Criminal Justice Information Services of the Federal Bureau of Investigation who do not relocate to Clarksburg, West Virginia; as amended.

The SPEAKER pro tempore, Mr. TRAFICANT, recognized Mr. MCCLOSKEY and Mrs. MORELLA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. TRAFICANT, announced that two-

thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

#### 197.14 HIGH SPEED RAIL DEVELOPMENT

Ms. SCHENK moved to suspend the rules and pass the bill (H.R. 4867) to authorize appropriations for high-speed rail transportation, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. TRAFICANT, recognized Ms. SCHENK and Mr. MOORHEAD, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. TRAFICANT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HEFLEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. TRAFICANT, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

#### 197.15 RAILROAD UNEMPLOYMENT INSURANCE

Ms. SCHENK moved to suspend the rules and pass the bill (H.R. 4868) to amend the Railroad Unemployment Insurance Act to reduce the waiting period for benefits payable under that Act, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. TRAFICANT, recognized Ms. SCHENK and Mr. MOORHEAD, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. TRAFICANT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

#### 197.16 HAZMAT TRANSPORTATION AUTHORIZATION

Mr. MINETA moved to suspend the rules and agree to the following amend-

ment of the Senate to the bill (H.R. 2178) to amend the Hazardous Materials Transportation Act to authorize appropriations for fiscal years 1994, 1995, 1996, and 1997:

Strike out all after the enacting clause and insert:

### TITLE I—HAZARDOUS MATERIALS TRANSPORTATION ACT AMENDMENTS

#### SEC. 101. SHORT TITLE.

This title may be cited as the "Hazardous Materials Transportation Authorization Act of 1994".

#### SEC. 102. AMENDMENT OF TITLE 49, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

#### SEC. 103. AUTHORIZATION OF APPROPRIATIONS.

Section 5127(a) (relating to authorization of appropriations) is amended by striking out "the fiscal year ending September 30, 1993," and inserting "fiscal year 1993, \$18,000,000 for fiscal year 1994, \$18,540,000 for fiscal year 1995, \$19,100,000 for fiscal year 1996, and \$19,670,000 for fiscal year 1997".

#### SEC. 104. EXEMPTIONS FROM REQUIREMENT TO FILE REGISTRATION STATEMENT.

Section 5108(a) (relating to persons required to file) is amended by adding at the end the following new paragraph:

"(4) The Secretary may waive the filing of a registration statement, or the payment of a fee, required under this subsection, or both, for any person not domiciled in the United States who solely offers hazardous materials for transportation to the United States from a place outside the United States if the country of which such person is a domiciliary does not require persons domiciled in the United States who solely offer hazardous materials for transportation to the foreign country from places in the United States to file registration statements, or to pay fees, for making such an offer."

#### SEC. 105. PLANNING GRANTS FOR INDIAN TRIBES.

(a) AUTHORITY TO MAKE GRANTS.—Section 5116(a)(1) (relating to planning grants) is amended—

(1) by inserting "and Indian tribes" after "States" the first place it appears; and

(2) by striking "in a State and between States" and inserting "on lands under the jurisdiction of a State or Indian tribe, and between lands under the jurisdiction of a State or Indian tribe and lands of another State or Indian tribe".

(b) MAINTENANCE OF EFFORT.—Section 5116(a)(2) (relating to planning grants) is amended—

(1) by inserting "or Indian tribe" after "State" the first and third places it appears;

(2) by striking "the State" the second place it appears;

(3) by inserting "the State or Indian tribe" before "certifies"; and

(4) by inserting "the State" before "agrees".

(c) COORDINATION OF PLANNING.—Section 5116(a) (relating to planning grants in general) is amended by adding at the end the following new paragraph:

"(3) A State or Indian tribe receiving a grant under this subsection shall ensure that planning under the grant is coordinated with emergency planning conducted by adjacent States and Indian tribes."

#### SEC. 106. TRAINING CRITERIA FOR SAFE HANDLING AND TRANSPORTATION.

Section 5107(d) (relating to coordination of training requirements) is amended—

(1) by inserting "or duplicate" after "conflict with"; and

(2) by striking "hazardous waste operations and" and inserting "hazard communication, and hazardous waste operations, and".

#### SEC. 107. DISCLOSURE OF FEES LEVIED BY STATES, POLITICAL SUBDIVISIONS, AND INDIAN TRIBES.

Section 5125(g) (relating to fees) is amended—

(1) by inserting "(1)" after "(g) FEES.—"; and

(2) by adding at the end the following:

"(2) A State or political subdivision thereof or Indian tribe that levies a fee in connection with the transportation of hazardous materials shall, upon the Secretary's request, report to the Secretary on—

"(A) the basis on which the fee is levied upon persons involved in such transportation;

"(B) the purposes for which the revenues from the fee are used;

"(C) the annual total amount of the revenues collected from the fee; and

"(D) such other matters as the Secretary requests."

#### SEC. 108. ANNUAL REPORT.

Section 5121(e) (relating to annual report) is amended—

(1) by striking "Annual" in the subsection heading, and

(2) by striking the first sentence and inserting the following: "The Secretary shall, once every 2 years, prepare and submit to the President for transmittal to the Congress a comprehensive report on the transportation of hazardous materials during the preceding 2 calendar years."

#### SEC. 109. INTELLIGENT VEHICLE-HIGHWAY SYSTEMS.

(a) IN GENERAL.—In implementing the Intelligent Vehicle-Highway Systems Act of 1991 (23 U.S.C. 307 note), the Secretary of Transportation shall ensure that the National Intelligent Vehicle-Highway Systems Program addresses, in a comprehensive and coordinated manner, the use of intelligent vehicle-highway system technologies to promote hazardous materials transportation safety. The Secretary of Transportation shall ensure that 2 or more operational tests funded under such Act shall promote such safety and advance technology for providing information to persons who provide emergency response to hazardous materials transportation incidents.

(b) GRANTS FOR CERTAIN EMERGENCY RESPONSE INFORMATION TECHNOLOGIES.—

(1) In carrying out one of the operational tests under subsection (a), the Secretary of Transportation may make grants to one or more persons, including a State or local government or department, agency, or instrumentality thereof, to demonstrate the feasibility of establishing and operating computerized telecommunications emergency response information technologies that are used—

(A) to identify the contents of shipments of hazardous materials transported by motor carriers;

(B) to permit retrieval of data on shipments of hazardous materials transported by motor carriers;

(C) to link systems that identify, store, and allow the retrieval of data for emergency response to incidents and accidents involving transportation of hazardous materials by motor carrier; and

(D) to provide information to facilitate responses to accidents and incidents involving hazardous materials shipments by motor carriers either directly or through linkage with other systems.

(2) Any project carried out with a grant under this subsection must involve two or

more motor carriers of property. One of the motor carriers selected to participate in the project must be a carrier that transports mostly hazardous materials. The other motor carrier selected must be a regular-route common carrier that specializes in transporting less-than-truckload shipments. The motor carriers selected may be engaged in multimodal movements of hazardous materials with other motor carriers, rail carriers, or water carriers.

(3) To the maximum extent practicable, the Secretary of Transportation shall coordinate a project under this subsection with any existing Federal, State, and local government projects and private projects which are similar to the project under this subsection. The Secretary may require that a project under this subsection be carried out in conjunction with such similar Federal, State, and local government projects and private projects.

#### **SEC. 110. RAIL TANK CAR SAFETY.**

Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall issue final regulations under the following:

(1) The rulemaking proceeding under Docket HM-175A entitled "Crashworthiness Protection Requirements for Tank Cars".

(2) The rulemaking proceeding under Docket HM-201 entitled "Detection and Repair of Cracks, Pits, Corrosion, Lining Flaws, Thermal Protection Flaws and Other Defects of Tank Car Tanks".

#### **SEC. 111. SAFE PLACEMENT OF TRAIN CARS.**

The Secretary of Transportation shall conduct a study of existing practices regarding the placement of cars on trains, with particular attention to the placement of cars that carry hazardous materials. In conducting the study, the Secretary shall consider whether such placement practices increase the risk of derailment, hazardous materials spills, or tank ruptures or have any other adverse effect on safety. The results of the study shall be submitted to Congress within 1 year after the date of enactment of this Act.

#### **SEC. 112. GRADE CROSSING SAFETY.**

The Secretary of Transportation shall, within 6 months after the date of enactment of this Act, amend regulations—

(1) under chapter 51 of title 49, United States Code, (relating to transportation of hazardous materials) to prohibit the driver of a motor vehicle transporting hazardous materials in commerce, and

(2) under chapter 315 of such title (relating to motor carrier safety) to prohibit the driver of any commercial motor vehicle, from driving the motor vehicle onto a highway-rail grade crossing without having sufficient space to drive completely through the crossing without stopping.

#### **SEC. 113. DRIVER'S RECORD OF DUTY STATUS.**

(a) IN GENERAL.—

(1) The Secretary of Transportation shall prescribe regulations amending part 395 of title 49, Code of Federal Regulations, to improve—

(A) compliance by commercial motor vehicle drivers and motor carriers with hours of service requirements; and

(B) the effectiveness and efficiency of Federal and State enforcement officers reviewing such compliance.

(2) Such regulations shall be proposed not later than 12 months after the date of enactment of this Act and shall be issued and become effective not later than 18 months after such date of enactment. In prescribing the regulations, the Secretary of Transportation shall ensure that compliance can be achieved at a cost that is reasonable to drivers and motor carriers.

(b) CONTENTS OF REGULATIONS.—Such regulations shall include the following:

(1) A description of identification items (which include either driver name or vehicle number) that shall be part of a written or electronic document to enable such written or electronic document to be used by a motor carrier or by an enforcement officer as a supporting document to verify the accuracy of a driver's record of duty status.

(2) A provision specifying the number, type, and frequency of supporting documents that must be retained by a motor carrier so as to allow verification of the accuracy of such documents at a reasonable cost, to the driver and the motor carrier, of record acquisition and retention.

(3) A provision specifying the period during which supporting documents shall be retained by the motor carrier. The period shall be at least 6 months from the date of a document's receipt.

(4) A provision to authorize, on a case-by-case basis, motor carrier self-compliance systems that ensure driver compliance with hours of service requirements and allow Federal and State enforcement officers the opportunity to conduct independent audits of such systems to validate compliance with section 395.8(k) of title 49, Code of Federal Regulations (or successor regulations thereto). Such authorization may also be provided by the Secretary to a group of motor carriers that meet specific conditions that may be established by regulation by the Secretary and that are subject to audit by Federal and State enforcement officers.

(5) A provision to allow a waiver, on a case-by-case basis, of certain requirements of section 395.8(k) of title 49, Code of Federal Regulations (or successor regulations thereto), when sufficient supporting documentation is provided directly and at a satisfactory frequency to enforcement personnel by an intelligent vehicle-highway system, as defined by section 6059 of the Intelligent Vehicle-Highway Systems Act of 1991 (23 U.S.C. 307 note). Such waiver may also be allowed for a group of motor carriers that meet specific conditions that may be established by regulation by the Secretary.

(c) SUPPORTING DOCUMENT DEFINED.—For purposes of this section, a supporting document is any document that is generated or received by a motor carrier or commercial motor vehicle driver in the normal course of business that could be used, as produced or with additional identifying information, to verify the accuracy of a driver's record of duty status.

#### **SEC. 114. SAFETY PERFORMANCE HISTORY OF NEW DRIVERS.**

(a) AMENDMENT OF REGULATIONS.—Within 18 months after the date of enactment of this Act, the Secretary of Transportation shall amend section 391.23 of title 49, Code of Federal Regulations (or successor regulations thereto), to—

(1) specify the safety information that must be sought under that section by a motor carrier with respect to a driver;

(2) require that such information be requested from former employers and that former employers furnish the requested information within 30 days after receiving the request; and

(3) ensure that the driver to whom such information applies has a reasonable opportunity to review and comment on the information.

(b) SAFETY INFORMATION.—The safety information required to be specified under subsection (a)(1) shall include information on—

(1) any motor vehicle accidents in which the driver was involved during the preceding 3 years;

(2) any failure of the driver, during the preceding 3 years, to undertake or complete a rehabilitation program under section 31302 of title 49, United States States Code (relating

to limitation on the number of driver's licenses) after being found to have used, in violation of law or Federal regulation, alcohol or a controlled substance;

(3) any use by the driver, during the preceding 3 years, in violation of law or Federal regulation, of alcohol or a controlled substance subsequent to completing such a rehabilitation program; and

(4) any other matters determined by the Secretary of Transportation to be appropriate and useful for determining the driver's safety performance.

(c) FORMER EMPLOYER.—For purposes of this section, a former employer is any person who employed the driver in the preceding 3 years.

#### **SEC. 115. RETENTION OF SHIPPING PAPERS.**

Section 5110 (relating to shipping papers and disclosure) is amended by adding at the end the following new subsection:

"(e) RETENTION OF PAPERS.—After the hazardous material to which a shipping paper provided to a carrier under subsection (a) applies is no longer in transportation, the person who provided the shipping paper and the carrier required to maintain it under subsection (a) shall retain the paper or electronic image thereof for a period of 1 year to be accessible through their respective principal places of business. Such person and carrier shall, upon request, make the shipping paper available to a Federal, State, or local government agency at reasonable times and locations."

#### **SEC. 116. TOLL FREE NUMBER FOR REPORTING.**

The Secretary of Transportation shall designate a toll free telephone number for transporters of hazardous materials and other individuals to report to the Secretary possible violations of chapter 51 of title 49, United States Code, or any order or regulation issued under that chapter.

#### **SEC. 117. TECHNICAL CORRECTIONS.**

(a) AMENDMENTS RELATING TO PACKAGING.—

(1) Sections 5102(3)(C)(ii) and 5102(4)(A)(iii) are each amended by striking "packages" and inserting "packagings".

(2) Sections 5103(b)(1)(A)(iii), 5121(c)(1)(A), 5125(b)(1)(E), and 5126(a) are each amended by striking "a package or" and inserting "a packaging or a".

(3) Section 5108(a)(1)(D) is amended—

(A) by striking "a bulk package" and inserting in lieu thereof "a bulk packaging"; and

(B) by striking "the package" and inserting "the bulk packaging".

(b) OTHER.—Section 5104(a)(1) is amended by striking "or package" each place it appears and inserting ", package, or packaging (or a component of a container, package, or packaging)".

#### **SEC. 118. HOURS OF SERVICE RULEMAKING FOR FARMERS AND RETAIL FARM SUPPLIERS.**

Not later than 3 months after the date of enactment of this Act the Secretary of Transportation shall initiate a rulemaking proceeding to determine whether or not the requirements of section 395.3 of title 49, Code of Federal Regulations, relating to hours of service, may be waived for farmers and retail farm suppliers when such farmers and retail farm suppliers are transporting crops or farm supplies for agricultural purposes within a 50-mile radius of their distribution point or farm.

#### **SEC. 119. TRAINING.**

(a) SUPPLEMENTAL PUBLIC SECTOR TRAINING GRANTS.—Section 5116 (relating to planning and training grants, monitoring, and review) is amended by adding at the end the following new subsections:

"(j) SUPPLEMENTAL TRAINING GRANTS.—

"(1) In order to further the purposes of subsection (b), the Secretary shall, subject to the availability of funds, make grants to na-



tional nonprofit employee organizations engaged solely in fighting fires for the purpose of training instructors to conduct hazardous materials response training programs for individuals with statutory responsibility to respond to hazardous materials accidents and incidents.

"(2) For the purposes of this subsection the Secretary, after consultation with interested organizations, shall—

"(A) identify regions or locations in which fire departments or other organizations which provide emergency response to hazardous materials transportation accidents and incidents are in need of hazardous materials training; and

"(B) prioritize such needs and develop a means for identifying additional specific training needs.

"(3) Funds granted to an organization under this subsection shall only be used—

"(A) to train instructors to conduct hazardous materials response training programs;

"(B) to purchase training equipment used exclusively to train instructors to conduct such training programs; and

"(C) to disseminate such information and materials as are necessary for the conduct of such training programs.

"(4) The Secretary may only make a grant to an organization under this subsection in a fiscal year if the organization enters into an agreement with the Secretary to train instructors to conduct hazardous materials response training programs in such fiscal year that will use—

"(A) a course or courses developed or identified under subsection (g); or

"(B) other courses which the Secretary determines are consistent with the objectives of this subsection;

for training individuals with statutory responsibility to respond to accidents and incidents involving hazardous materials. Such agreement also shall provide that training courses shall be open to all such individuals on a nondiscriminatory basis.

"(5) The Secretary may impose such additional terms and conditions on grants to be made under this subsection as the Secretary determines are necessary to protect the interests of the United States and to carry out the objectives of this subsection.

"(k) REPORTS.—Not later than September 30, 1997, the Secretary shall submit to Congress a report on the allocation and uses of training grants authorized under subsection (b) for fiscal year 1993 through fiscal year 1996 and grants authorized under subsection (j) and section 5107 for fiscal years 1995 and 1996. Such report shall identify the ultimate recipients of training grants and include a detailed accounting of all grant expenditures by grant recipients, the number of persons trained under the grant programs, and an evaluation of the efficacy of training programs carried out."

(b) FUNDING.—Section 5127(b) (relating to appropriations for hazmat employee training) is amended—

(1) by inserting "(1)" after "TRAINING.—", and

(2) by adding at the end the following:

"(2)(A) There shall be available to the Secretary for carrying out section 5116(j), from amounts in the account established pursuant to section 5116(i), \$250,000 for each of fiscal years 1995, 1996, 1997, and 1998.

"(B) In addition to amounts made available under subparagraph (A), there is authorized to be appropriated to the Secretary for carrying out section 5116(j) \$1,000,000 for each of the fiscal years 1995, 1996, 1997, and 1998."

(c) HAZMAT EMPLOYEE TRAINING PROGRAM.—

(1) The first sentence of section 5107(e) (relating to hazmat employee training require-

ments and grants) is amended to read as follows: "The Secretary shall, subject to the availability of funds under section 5127(c)(3), make grants for training instructors to train hazmat employees under this section."

(2) The second sentence of such section is amended by inserting "hazmat employee" after "nonprofit".

(3) Section 5107 (relating to hazmat employee training requirements and grants) is amended by adding at the end thereof the following new subsection:

"(g) EXISTING EFFORT.—No grant under subsection (e) shall supplant or replace existing employer-provided hazardous materials training efforts or obligations."

(4) Section 5127(b)(1) (relating to hazmat employee training funding) is amended to read as follows:

"(b) TRAINING OF HAZMAT EMPLOYEE INSTRUCTORS.—(1) There is authorized to be appropriated to the Secretary \$3,000,000 for each of fiscal years 1995, 1996, 1997, and 1998 to carry out section 5107(e)."

(d) CONFORMING AMENDMENTS.—

(1) Section 5108(g)(2)(A)(viii) is amended by striking "5107(e)".

(2) Section 5116(i)(1) is amended by striking "and section 5107(e)".

(3) Section 5116(i)(3) is amended by striking "and section 5107(e)".

#### SEC. 120. TIME FOR SECRETARIAL ACTION.

(a) EXEMPTIONS.—Section 5117 (relating to exemptions and exclusions) is amended—

(1) by redesignating subsections (c) and (d) as (d) and (e) respectively, and

(2) by inserting after subsection (b) the following:

"(c) APPLICATIONS TO BE DEALT WITH PROMPTLY.—The Secretary shall issue or renew the exemption for which an application was filed or deny such issuance or renewal within 180 days after the first day of the month following the date of the filing of such application, or the Secretary shall publish a statement in the Federal Register of the reason why the Secretary's decision on the exemption is delayed, along with an estimate of the additional time necessary before the decision is made."

(b) DECISIONS ON PREEMPTION.—Section 5125(d) (relating to decisions on preemption) is amended by inserting immediately after the second sentence the following: "The Secretary shall issue a decision on an application for a determination within 180 days after the date of the publication of the notice of having received such application, or the Secretary shall publish a statement in the Federal Register of the reason why the Secretary's decision on the application is delayed, along with an estimate of the additional time necessary before the decision is made."

#### SEC. 121. STUDY OF HAZARDOUS MATERIALS TRANSPORTATION BY MOTOR CARRIERS NEAR FEDERAL PRISONS.

(a) STUDY.—The Secretary of Transportation shall conduct a study to determine the safety considerations of transporting hazardous materials by motor carriers in close proximity to Federal prisons, particularly those housing maximum security prisoners. Such study shall include an evaluation of the ability of such facilities and the designated local planning agencies to safely evacuate such prisoners in the event of an emergency and any special training, equipment, or personnel that would be required by such facility and the designated local emergency planning agencies to carry out such evacuation. Such study shall not apply to or address issues concerning rail transportation of hazardous materials.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Transportation shall transmit to Congress a report on the results of the

study conducted under this section, along with the Secretary's recommendations for any legislative or regulatory changes to enhance the safety regarding the transportation of hazardous materials by motor carriers near Federal prisons.

#### SEC. 122. USE OF FIBER DRUM PACKAGING.

(a) INITIATION OF RULEMAKING PROCEEDING.—Not later than the 60th day following the date of enactment of this Act, the Secretary of Transportation shall initiate a rulemaking proceeding to determine whether the requirements of section 5103(b) of title 49, United States Code (relating to regulations for safe transportation) as they pertain to open head fiber drum packaging can be met for the domestic transportation of liquid hazardous materials (with respect to those classifications of liquid hazardous materials transported by such drums pursuant to regulations in effect on September 30, 1991) with standards other than the performance-oriented packaging standards adopted under docket number HM-181 contained in part 178 of title 49, Code of Federal Regulations.

(b) ISSUANCE OF STANDARDS.—If the Secretary of Transportation determines, as a result of the rulemaking proceeding initiated under subsection (a), that a packaging standard other than the performance-oriented packaging standards referred to in subsection (a) will provide an equal or greater level of safety for the domestic transportation of liquid hazardous materials than would be provided if such performance-oriented packaging standards were in effect, the Secretary shall issue regulations which implement such other standard and which take effect before October 1, 1996.

(c) COMPLETION OF RULEMAKING PROCEEDING.—The rulemaking proceeding initiated under subsection (a) shall be completed before October 1, 1995.

(d) LIMITATIONS.—

(1) The provisions of subsections (a), (b), and (c) shall not apply to packaging for those hazardous materials regulated by the Department of Transportation as poisonous by inhalation under chapter 51 of title 49, United States Code.

(2) Nothing in this section shall be construed to prohibit the Secretary of Transportation from issuing or enforcing regulations for the international transportation of hazardous materials.

#### SEC. 123. BUY AMERICA.

(a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available under this title may be expended in violation of sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c; popularly known as the "Buy American Act"), which are applicable to those funds.

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this title, it is the sense of Congress that entities receiving such assistance should, in expending such assistance, purchase only American-made equipment and products.

(2) In providing financial assistance under this title, the Secretary of Transportation shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by Congress.

(c) PROHIBITION OF CONTRACTS.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this title, pursuant to the debarment, suspension, and

ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

(d) RECIPROCITY.—

(1) Except as provided in paragraph (2), no contract or subcontract may be made with funds authorized under this title to a company organized under the laws of a foreign country unless the Secretary of Transportation finds that such country affords comparable opportunities to companies organized under laws of the United States.

(2)(A) Secretary of Transportation may waive the provisions of paragraph (1) if the products or services required are not reasonably available from companies organized under the laws of the United States. Any such waiver shall be reported to Congress.

(B) Paragraph (1) shall not apply to the extent that to do so would violate the General Agreement on Tariffs and Trade or any other international agreement to which the United States is a party.

## TITLE II—TRUCKING INDUSTRY REGULATORY REFORM

### SEC. 201. SHORT TITLE.

This title may be cited as the "Trucking Industry Regulatory Reform Act of 1994".

### SEC. 202. AMENDMENT OF TITLE 49, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

### SEC. 203. PURPOSE.

The purpose of this title is to enhance competition, safety, and efficiency in the motor carrier industry and to enhance efficiency in government.

### SEC. 204. TRANSPORTATION POLICY.

Section 10101(a)(2) (relating to transportation policy) is amended—

(1) by redesignating subparagraphs (A) through (I) as subparagraphs (C) through (K), respectively, and

(2) by inserting before subparagraph (C) (as so redesignated) the following: "(A) encourage fair competition, and reasonable rates for transportation by motor carriers of property; (B) promote Federal regulatory efficiency in the motor carrier transportation system and to require fair and expeditious regulatory decisions when regulation is required;"

### SEC. 205. EXEMPTIONS.

(a) IN GENERAL.—Section 10505 (relating to authority to exempt rail carrier transportation) is amended—

(1) by inserting ", or a motor carrier providing transportation of property other than household goods, or in non-contiguous domestic trade," after "rail carrier providing transportation" in subsection (a),

(2) by inserting "section 10101 or" before "section 10101a" in subsection (a)(1) and subsection (d),

(3) by inserting ", or a motor carrier providing transportation of property other than household goods, or in non-contiguous domestic trade," after "rail carrier" in subsection (f), and

(4) by striking out "or" in subsection (g), and inserting after "subtitle" the following: "(3) to relieve a motor carrier of property or other person from the application or enforcement of the provisions of sections 10706, 10761, 10762, 10927, and 11707 of this title, or (4) to exempt a motor carrier of property from the application of, and compliance with, any law, rule, regulation, standard, or order pertaining to cargo loss and damage; insurance; antitrust immunity for joint line rates and routes, classification of commodities (including uniform packaging rules),

uniform bills of lading, or standardized mileage guides; or safety fitness."

(b) DEFINITION.—Section 10102 (relating to definitions) is amended by redesignating paragraphs (18) through (31) as (19) through (32), respectively, and by inserting after paragraph (17) the following:

"(18) 'non-contiguous domestic trade' means motor-water transportation subject to the jurisdiction of the Commission under chapter 105 of this title involving traffic originating in or destined to Alaska, Hawaii, or a territory or possession of the United States."

### (c) CLERICAL AMENDMENTS.—

(1) The caption of section 10505 is amended by inserting "and motor carrier" after "rail carrier".

(2) The chapter analysis for chapter 105 is amended by inserting "and motor carrier" after "rail carrier" in the item relating to section 10505.

### SEC. 206. TARIFF FILING.

(a) AUTHORITY TO ESTABLISH RATES.—Section 10702(b) (relating to authority for carriers to establish rates, classifications, rules, and practices) is amended by inserting ", except a motor contract carrier of property," after "A contract carrier".

(b) PROHIBITION OF TRANSPORTATION WITHOUT TARIFF.—Section 10761(a) (relating to transportation prohibited without tariff) is amended—

(1) by inserting "(excluding a motor common carrier providing transportation of property, other than household goods, under an individually determined rate, classification, rule, or practice, as defined in section 10102(13) or in noncontiguous domestic trade)" after "chapter 105 of this title", and

(2) by striking out "That carrier" in the second sentence and inserting "A carrier subject to this subsection".

(3) by inserting before the period at the end of the first sentence the following: ", except that a motor carrier of property the application of whose rates is determined or governed by a tariff on file with the Commission cannot collect its rates unless the carrier is a participant in those tariffs", and

(4) by inserting before the period at the end of the second sentence the following: ", except that a motor carrier of property the application of whose rates are determined or governed by a tariff on file with the Commission shall issue a power of attorney to the tariff publishing agent of such tariff and, upon its acceptance, the agent shall issue a notice to the participating carrier certifying its continuing participation in such tariff, which certification shall be kept open for public inspection".

(c) GENERAL TARIFF REQUIREMENT.—Section 10762(a) (relating to general tariff requirement) is amended—

(1) by inserting "(excluding a motor common carrier providing transportation of property, other than household goods, under an individually determined rate, classification, rule, or practice, as defined in section 10102(13), or in noncontiguous domestic trade)" after "A motor common carrier" in the second sentence of paragraph (1),

(2) by inserting "(excluding a motor common carrier providing transportation of property, other than household goods, under an individually determined rate, classification, rule, or practice, as defined in section 10102(13), or in noncontiguous domestic trade)" after "carriers" in the third sentence of paragraph (1),

(3) by striking the last sentence of paragraph (1) and inserting the following: "A motor contract carrier of property is not required to publish or file actual or minimum rates under this subtitle. Except as provided in the Negotiated Rates Act of 1993 and the amendments made by that Act, nothing in

the Trucking Industry Regulatory Reform Act of 1994 (and the amendments made by that Act) creates any obligation for a shipper based solely on a rate that was on file with the Commission or elsewhere on the date of enactment of such Act.", and

(4) by adding at the end the following:

"(3) A motor common carrier of property (other than a motor common carrier providing transportation of household goods or in noncontiguous domestic trade) shall provide to the shipper, on request of the shipper, a written or electronic copy of the rate, classification, rules, and practices, upon which any rate agreed to between the shipper and carrier may have been based. When the applicability or reasonableness of the rates and related provisions billed by a motor common carrier is challenged by the person paying the freight charges, the Commission shall determine whether such rates and provisions are reasonable or applicable based on the record before it. In those cases where a motor common carrier (other than a motor common carrier providing transportation of household goods or in noncontiguous domestic trade) seeks to collect charges in addition to those billed and collected which are contested by the payor, the carrier may request that the Commission determine whether any additional charges over those billed and collected must be paid. A carrier must issue any bill for charges in addition to those originally billed within 180 days of the original bill in order to have the right to collect such charges.

"(4) If a shipper seeks to contest the charges originally billed, the shipper may request that the Commission determine whether the charges originally billed must be paid. A shipper must contest the original bill within 180 days in order to have the right to contest such charges.

"(5) Any tariff on file with the Commission on the date of enactment of the Trucking Industry Regulatory Reform Act of 1994 not required to be filed with the Commission after the enactment of that Act is null and void beginning on that date."

### (d) PROPOSED RATE CHANGES.—

(1) COMMON CARRIERS.—Section 10762(c)(1) (relating to proposed rate changes) is amended by inserting "(excluding a motor common carrier providing transportation of property other than household goods, under an individually determined rate, classification, rule, or practice defined in section 10102(13), or in a noncontiguous domestic trade)" after "common carrier".

(2) CONTRACT CARRIERS.—Section 10762(c)(2) (relating to proposed rate changes) is amended by inserting "(except a motor contract carrier of property)" after "contract carrier".

(e) EFFECT ON NEGOTIATED RATES ACT.—Section 10762 (relating to general tariff requirements) is amended by adding at the end thereof the following new subsection:

"(j) Nothing in this section shall affect the application of the provisions of the Negotiated Rates Act of 1993 (or the amendments made by that Act) to undercharge claims for transportation provided prior to the date of enactment of the Trucking Industry Regulatory Reform Act of 1994."

(f) DEFINITION.—Section 10102 (relating to definitions) is amended—

(1) by redesignating paragraphs (13) through (31) as (14) through (32), and

(2) by inserting after paragraph (12) the following:

"(13) 'individually determined rate, classification, rule, or practice' means a rate, classification, rule, or practice established by—

"(A) a single motor common carrier for application to transportation that it can provide over its line; or

"(B) 2 or more interlining carriers without participation in an organization established



or continued under an agreement approved under section 10706(b) for application to transportation that the interlining carriers can provide jointly over their lines."

**SEC. 207. MOTOR COMMON CARRIER LICENSING.**

(a) IN GENERAL.—Section 10922 (relating to certification of motor and water carriers) is amended—

(1) by redesignating subsections (b) through (l) as (c) through (m), respectively, and by inserting after subsection (a) the following new subsection:

"(b)(1) Except as provided in this section, the Commission shall issue a certificate to a person authorizing that person to provide transportation subject to the jurisdiction of the Commission under subchapter II of chapter 105 of this title as a motor common carrier of property if the Commission finds that the person is able to comply with—

"(A) this subtitle, the regulations of the Commission, and any safety requirements imposed by the Commission,

"(B) the safety fitness requirements established by the Secretary of Transportation in consultation with the Commission under section 31144 of this title, and

"(C) the minimum financial responsibility requirements established by the Commission pursuant to section 10927 of this title.

"(2) In making a finding under paragraph (1), the Commission shall consider and, to the extent applicable, make findings on, any evidence demonstrating that the applicant is unable to comply with the requirements of subparagraph (A), (B), or (C) of that paragraph.

"(3) The Commission shall find any applicant for authority to operate as a motor carrier under this section to be unfit if the applicant does not meet the safety and safety fitness requirements under paragraph (1)(A) or (1)(B) of this subsection and shall deny the application.

"(4) A person may protest an application under this subsection to provide transportation only on the ground that the applicant fails or will fail to comply with this subtitle, the regulations of the Commission, the safety requirements of the Commission, or the safety fitness or minimum financial responsibility requirements of paragraph (1) of this subsection."

(b) PUBLIC CONVENIENCE AND NECESSITY.—Section 10922(c) (relating to public convenience and necessity) as redesignated by subsection (a), is amended—

(1) by striking "carrier of property" in paragraph (1) and inserting "carrier of household goods",

(2) by striking paragraphs (4) and (6) and redesignating paragraphs (5), (7), (8), and (9) as (4), (5), (6), and (7), respectively,

(3) by striking "carrier holding authority under paragraph (4)(D) of this subsection" in paragraph (4) (as redesignated) and inserting "motor carrier providing transportation of shipments weighing 100 pounds or less transported in a motor vehicle in which no one package exceeds 100 pounds",

(4) by striking "of property" in paragraph (5) (as redesignated) and inserting "of household goods",

(5) by striking "of property" in paragraph (6) (as redesignated) and inserting "of household goods", and

(6) by striking "Notwithstanding the provisions of paragraph (4) of this subsection, the provisions" in paragraph (7) (as redesignated) and inserting "The provisions".

(c) CERTIFICATE SPECIFICATIONS.—Section 10922(f)(1) (relating to specifications for certificate), as redesignated by subsection (a) of this section, is amended by inserting "of household goods or passengers" after "motor common carrier".

(d) PUBLIC CONVENIENCE AND NECESSITY.—Section 10922(h)(1) (relating to public con-

venience and necessity), as redesignated by subsection (a) of this section, is amended by inserting "of household goods or passengers" after "motor common carrier".

**SEC. 208. MOTOR CONTRACT CARRIER LICENSING.**

(a) AUTHORITY TO ISSUE PERMITS.—Section 10923(a) (relating to authority to issue permits) is amended by inserting "of household goods or passengers" after "motor contract carrier".

(b) MOTOR CONTRACT CARRIER PERMITS.—Section 10923 (relating to permits of motor and water contract carriers and household goods freight forwarders) is amended by redesignating subsections (b) through (e) as (c) through (f), respectively, and by inserting after subsection (a) the following new subsection:

"(b)(1) Except as provided in this section and section 10930 of this title, the Commission shall issue a permit to a person authorizing the person to provide transportation subject to the jurisdiction of the Commission under subchapter II of chapter 105 of this title as a motor contract carrier of property other than household goods if the Commission finds that the person is able to comply with—

"(A) this subtitle, the regulations of the Commission, and any safety requirements imposed by the Commission,

"(B) the safety fitness requirements established by the Secretary of Transportation in consultation with the Commission pursuant to section 31144 of this title, and

"(C) the minimum financial responsibility requirements established by the Commission pursuant to section 10927 of this title.

"(2) In deciding whether to approve the application of a person for a permit as a motor contract carrier of property other than household goods the Commission shall consider any evidence demonstrating that the applicant is unable to comply with this subtitle, the regulations of the Commission, safety requirements of the Commission, or the safety fitness and minimum financial responsibility requirements of subsection (b)(1).

"(3) The Commission shall find any applicant for authority to operate as a motor carrier of property other than household goods under this subsection to be unfit if the applicant does not meet the safety and safety fitness requirements of paragraph (1)(A) or (1)(B) of this subsection and shall deny the application.

"(4) A person may protest an application under this subsection to provide transportation only on the ground that the applicant fails or will fail to comply with this subtitle, the regulations of the Commission, safety requirements of the Commission, or the safety fitness or minimum financial responsibility requirements of paragraph (1)."

(c) APPLICATION FILING REQUIREMENTS.—Section 10923(c) (relating to application filing requirements), as redesignated by subsection (b) of this section, is amended—

(1) by striking "motor contract carrier of property" in paragraphs (3) and (4) and inserting "motor contract carrier of household goods",

(2) by striking paragraph (5) and redesignating paragraphs (6) and (7) as (5) and (6), respectively, and

(3) by striking "motor contract carriers of property" in paragraph (5) (as redesignated) and inserting "motor contract carriers of household goods".

(d) CONDITIONS OF TRANSPORTATION OR SERVICE.—Section 10923(e) (relating to conditions of transportation or service), as redesignated by subsection (b) of this section, is amended—

(1) by inserting "of passengers or household goods" after "contract carrier" in paragraph (1), and

(2) by striking "each person or class of persons (and, in the case of a motor contract carrier of passengers, the number of persons)" in paragraph (2) and inserting "in the case of a motor contract carrier of passengers, the number of persons,".

**SEC. 209. REVOCATION OF MOTOR CARRIER AUTHORITY.**

Section 10925(d)(1) (relating to effective period of certificates, permits, and licenses) is amended—

(1) by striking "if a motor carrier or broker" in subparagraph (A) and inserting "if a motor carrier of passengers, motor common carrier of household goods, or broker",

(2) by striking "and" at the end of subparagraph (A),

(3) by redesignating subparagraph (B) as (D) and inserting after subparagraph (A) the following new subparagraphs:

"(B) if a motor contract carrier of property, for failure to comply with safety requirements of the Commission or the safety fitness requirements pursuant to section 10701, 10924(e), 10927 (b) or (d), or 31144, of this title;

"(C) if a motor common carrier of property other than household goods, for failure to comply with safety requirements of the Commission or the safety fitness requirements pursuant to section 10701, 10702, 10924(e), 10927 (b) or (d), or 31144 of this title; and".

**SEC. 210. STUDY OF INTERSTATE COMMERCE COMMISSION FUNCTIONS.**

(a) INTERSTATE COMMERCE COMMISSION REPORT.—The Interstate Commerce Commission shall prepare and submit to the Secretary of Transportation and to each committee of the Congress having jurisdiction over legislation affecting the Commission a report identifying and analyzing all regulatory responsibilities of the Commission. The Commission shall make recommendations concerning specific statutory and regulatory functions of the Commission that could be eliminated or restructured. The Commission shall submit the report within 60 days after the date of enactment of this Act.

(b) SECRETARY OF TRANSPORTATION STUDY.—The Secretary of Transportation shall study the feasibility and efficiency of merging the Interstate Commerce Commission into the Department of Transportation as an independent agency, combining it with other Federal agencies, retaining the Interstate Commerce Commission in its present form, eliminating the agency and transferring all or some of its functions to the Department of Transportation or other Federal agencies, and other organizational changes that lead to government, transportation, or public interest efficiencies. The study shall consider the cost savings that might be achieved, the efficient allocation of resources, the elimination of unnecessary functions, and responsibility for regulatory functions. The Secretary shall solicit comments from the public with respect to both the Department's and the Commission's findings. The Secretary shall submit the results of such study together with any recommendations to the Congress within 4 months after the date of the submission of the Interstate Commerce Commission report required in subsection (a).

**SEC. 211. LIMITATION ON STATE REGULATION OF INTRASTATE TRANSPORTATION OF PASSENGERS BY BUS.**

(a) IN GENERAL.—Chapter 109 (relating to licensing) is amended by adding at the end thereof the following new section:

**"§10936. Limitation on State regulation of intrastate passengers by bus**

"A State or political subdivision of a State may not enforce any law or regulation relating to intrastate fares for the transportation

of passengers by bus by an interstate motor carrier of passengers over a route authorized by the Commission."

(b) CONFORMING AMENDMENTS.—

(1) Section 10521(b)(1) is amended by inserting "10936," after "10935,"

(2) Section 11501(e) is amended—

(A) by striking all but paragraph (5),

(B) by redesignating paragraph (5) as subsection (e), and

(C) by striking "paragraph" and inserting "subsection".

(3) The table of sections for subchapter IV of chapter 109 is amended by adding at the end the following new item:

"10936. Limitation on State regulation of intrastate passengers by bus."

#### SEC. 212. EFFECTIVE DATE.

This title and the amendments made by this title shall take effect upon the enactment of this Act, except for sections 207 and 208, which shall take effect on January 1, 1995.

The SPEAKER pro tempore, Mr. TRAFICANT, recognized Mr. MINETA and Mr. PETRI, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. TRAFICANT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

#### ¶97.17 U.S. MINT IN SAN FRANCISCO

Mr. TRAFICANT moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 4812) to direct the Administrator of General Services to acquire by transfer the Old U.S. Mint in San Francisco, California, and for other purposes:

Page 2, after line 8, insert:

#### SEC. 2. REPAIRS OF OLD U.S. MINT, SAN FRANCISCO.

Nothing in this Act shall be construed to force the General Services Administration to repair the Old U.S. Mint building prior to repairs to other Federal buildings in greater need of repair.

The SPEAKER pro tempore, Mr. BROWN of California, recognized Mr. TRAFICANT and Mr. PETRI, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. BROWN of California, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

#### ¶97.18 TECHNICAL CORRECTIONS TO NATIVE AMERICAN LAWS

Mr. RICHARDSON moved to suspend the rules and pass the bill (H.R. 4709) to make certain technical corrections, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BROWN of California, recognized Mr. RICHARDSON and Mr. ALLARD, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. TRAFICANT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

#### ¶97.19 TRIBAL SELF-GOVERNANCE

Mr. RICHARDSON moved to suspend the rules and pass the bill (H.R. 3508) to provide for tribal self-governance, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. TRAFICANT, recognized Mr. RICHARDSON and Mr. ALLARD, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. TRAFICANT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

#### ¶97.20 RECESS—2:19 P.M.

The SPEAKER pro tempore, Mr. TRAFICANT, pursuant to clause 12 of rule I, declared the House in recess at 2 o'clock and 19 minutes p.m., until 5 p.m.

#### ¶97.21 AFTER RECESS—5:03 P.M.

The SPEAKER pro tempore, Mr. COLEMAN, called the House to order.

#### ¶97.22 WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON S. 2182

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 103-705) the resolution (H. Res. 521)

waiving points of order against the conference report to accompany (S. 2182) to authorize appropriations for fiscal year 1995 for military activities of the Department of Defense, for military construction, and for defense programs of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

#### ¶97.23 TREASURY-POSTAL SERVICE APPROPRIATIONS

On motion of Mr. HOYER, by unanimous consent, the bill (H.R. 4539) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for fiscal year ending September 30, 1995, and for other purposes; together with the amendments of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. HOYER, it was,

*Resolved*, That the House disagree to the amendments of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

*Ordered*, That the Clerk notify the Senate thereof.

#### ¶97.24 MOTION TO INSTRUCT CONFEREES—H.R. 4539

Mr. LIGHTFOOT submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 4539) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for fiscal year ending September 30, 1995, and for other purposes, to insist on disagreement to provisions contained in any Senate amendment regarding the imposition of new or increased user fees, collections or taxes which may be established by the Secretary of the Treasury and which are authorized by law, to insist on disagreement to the amendment to the last proviso set forth in Senate amendment numbered 16, to insist on disagreement to the Senate amendment numbered 26, and to insist on disagreement to the Senate amendment numbered 29.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, *viva voce*,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. COLEMAN, announced that the yeas had it.

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to

was, by unanimous consent, laid on the table.

197.25 APPOINTMENT OF CONFEREES—  
H.R. 4539

Thereupon, the SPEAKER pro tempore, Mr. COLEMAN, by unanimous consent, announced the appointment of the following Members as managers on the part of the House at said conference: Messrs. HOYER, VISCLOSKY, DARDEN, OLVER, BEVILL, SABO, OBEY, LIGHTFOOT, WOLF, ISTOOK, and MCDADE.

*Ordered*, That the Clerk notify the Senate of the foregoing appointments.

197.26 PERMISSION TO FILE CONFERENCE  
REPORT

On motion of Mr. HOYER, by unanimous consent, the managers on the part of the House were granted permission until midnight tonight to file a conference report (Rept. No. 103-708) on the bill (H.R. 4603) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 1995, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

197.27 H.R. 2947—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLEMAN, pursuant to clause 5, rule I, announced the unfinished business to be the motion to suspend the rules and agree to the amendments of the Senate to the bill (H.R. 2947) to extend for an additional two years the authorization of the Black Revolutionary War Patriots Foundation to establish a memorial.

The question being put,

Will the House suspend the rules and agree to said amendments?

The vote was taken by electronic device.

It was decided in the { Yeas ..... 378  
affirmative ..... { Nays ..... 0

197.28 [Roll No. 397]  
YEAS—378

Abercrombie	Bonilla	Conyers
Ackerman	Bonior	Coppersmith
Allard	Boucher	Costello
Andrews (ME)	Brewster	Cox
Andrews (NJ)	Brooks	Coyne
Andrews (TX)	Browder	Crapo
Applegate	Brown (CA)	Cunningham
Archer	Brown (OH)	Danner
Arney	Bryant	Darden
Bacchus (FL)	Bunning	de la Garza
Bachus (AL)	Burton	Deal
Baessler	Buyer	DeFazio
Baker (LA)	Byrne	DeLauro
Ballenger	Callahan	DeLay
Barca	Calvert	Dellums
Barcia	Camp	Derrick
Barlow	Canady	Deutsch
Barrett (NE)	Cantwell	Diaz-Balart
Barrett (WI)	Cardin	Dickey
Bartlett	Carr	Dicks
Barton	Castle	Dingell
Bateman	Chapman	Dixon
Beilenson	Clay	Dooley
Bentley	Clayton	Doolittle
Bereuter	Clinger	Dornan
Berman	Clyburn	Duncan
Bevill	Coble	Dunn
Bilbray	Coleman	Durbin
Bishop	Collins (IL)	Edwards (TX)
Bliley	Collins (MI)	Ehlers
Blute	Combest	Emerson
Boehlert	Condit	Engel

English	Lambert	Regula
Eshoo	Lancaster	Richardson
Evans	LaRocco	Roberts
Everett	Laughlin	Roemer
Ewing	Lazio	Rogers
Farr	Leach	Rohrabacher
Fawell	Lehman	Ros-Lehtinen
Fazio	Levin	Rose
Fields (LA)	Levy	Rostenkowski
Fields (TX)	Lewis (CA)	Roth
Filner	Lewis (FL)	Roukema
Fingerhut	Lewis (GA)	Rowland
Fish	Lewis (KY)	Roybal-Allard
Ford (MI)	Lightfoot	Royce
Ford (TN)	Linder	Sabo
Fowler	Lipinski	Sanders
Frank (MA)	Livingston	Sangmeister
Franks (CT)	Lloyd	Sarpalius
Franks (NJ)	Long	Sawyer
Frost	Lowey	Saxton
Furse	Lucas	Schenk
Gallegly	Maloney	Schiff
Gekas	Mann	Schroeder
Gephardt	Manton	Schumer
Geren	Manzullo	Scott
Gibbons	Margolies-	Sensenbrenner
Gilchrest	Mezvinsky	Serrano
Gillmor	Markay	Sharp
Gilman	Martinez	Shaw
Gingrich	Matsui	Shays
Glickman	Mazzoli	Shepherd
Goodling	McCandless	Shuster
Goss	McCloskey	Sisisky
Grandy	McCrery	Skaggs
Green	McDermott	Skeen
Greenwood	McHale	Skelton
Gunderson	McHugh	Slaughter
Gutierrez	McInnis	Smith (IA)
Hall (OH)	McKinney	Smith (MI)
Hall (TX)	McNulty	Smith (NJ)
Hamburg	Meek	Smith (OR)
Hamilton	Meyers	Snowe
Hancock	Mfume	Solomon
Hansen	Mica	Spence
Hastert	Miller (CA)	Spratt
Hastings	Miller (FL)	Stark
Hayes	Mineta	Stearns
Hefley	Minge	Stenholm
Hefner	Mink	Stokes
Herger	Moakley	Strickland
Hilliard	Molinari	Studds
Hinche	Mollohan	Stump
Hoagland	Moorhead	Stupak
Hobson	Morella	Swett
Hochbrueckner	Murphy	Synar
Hoekstra	Murtha	Talent
Holden	Myers	Tanner
Horn	Neal (MA)	Tauzin
Houghton	Neal (NC)	Taylor (NC)
Hoyer	Nussle	Tejeda
Hughes	Oberstar	Thomas (CA)
Hutchinson	Obey	Thompson
Hutto	Olver	Thornton
Hyde	Ortiz	Thurman
Inglis	Orton	Torkildsen
Inhofe	Owens	Torres
Inslee	Oxley	Torricelli
Istook	Packard	Towns
Jacobs	Pallone	Trafficant
Jefferson	Parker	Tucker
Johnson (CT)	Pastor	Unsoeld
Johnson (GA)	Paxon	Upton
Johnson (SD)	Payne (NJ)	Valentine
Johnson, E.B.	Payne (VA)	Velazquez
Johnson, Sam	Pelosi	Vento
Johnston	Penny	Volkmer
Kanjorski	Peterson (FL)	Vucanovich
Kaptur	Peterson (MN)	Walker
Kasich	Petri	Walsh
Kennedy	Pickett	Watt
Kennelly	Pickle	Waxman
Kildee	Pombo	Weldon
Kim	Pomeroy	Wheat
King	Porter	Williams
Kingston	Portman	Wilson
Klecza	Poshard	Wolf
Klein	Price (NC)	Wyden
Klink	Pryce (OH)	Wynn
Klug	Quillen	Yates
Knollenberg	Quinn	Young (AK)
Kolbe	Rahall	Young (FL)
Kopetski	Ramstad	Zeliff
Kreidler	Rangel	Zimmer
Kyl	Ravenel	
LaFalce	Reed	

NOT VOTING—56

Baker (CA)	Blackwell	Brown (FL)
Becerra	Boehner	Clement
Bilirakis	Borski	Collins (GA)

Cooper	Hunter	Rush
Cramer	Lantos	Santorum
Crane	Machtley	Schaefer
Dreier	McCollum	Slattery
Edwards (CA)	McCurdy	Smith (TX)
Flake	McDade	Sundquist
Foglietta	McKeon	Swift
Gallo	McMillan	Taylor (MS)
Gejdenson	Meehan	Thomas (WY)
Gonzalez	Menendez	Visclosky
Goodlatte	Michel	Washington
Gordon	Montgomery	Waters
Grams	Moran	Whitten
Harman	Nadler	Wise
Hoke	Reynolds	Woolsey
Huffington	Ridge	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and the amendments of the Senate were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments of the Senate were agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

197.29 H.R. 4867—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLEMAN, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4867) to authorize appropriations for high-speed rail transportation, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas ..... 281  
affirmative ..... { Nays ..... 103

197.30 [Roll No. 398]  
YEAS—281

Abercrombie	Conyers	Gibbons
Ackerman	Coppersmith	Gilchrest
Andrews (ME)	Costello	Gillmor
Andrews (NJ)	Coyne	Gilman
Andrews (TX)	Crapo	Glickman
Applegate	Danner	Gonzalez
Bacchus (FL)	Darden	Green
Bachus (AL)	de la Garza	Greenwood
Baessler	Deal	Gutierrez
Barca	DeFazio	Hall (OH)
Barcia	DeLauro	Hamburg
Barlow	Dellums	Hamilton
Barrett (WI)	Derrick	Harman
Beilenson	Deutsch	Hastert
Bentley	Diaz-Balart	Hastings
Berman	Dicks	Hayes
Bevill	Dingell	Hefner
Bilbray	Dixon	Hilliard
Bishop	Dooley	Hinche
Blute	Dunn	Hoagland
Boehlert	Durbin	Hobson
Bonior	Ehlers	Hochbrueckner
Boucher	Emerson	Hoekstra
Brewster	Engel	Holden
Brooks	English	Horn
Browder	Eshoo	Houghton
Brown (CA)	Evans	Hoyer
Brown (OH)	Farr	Hughes
Byrne	Fawell	Hutto
Calvert	Fazio	Hyde
Camp	Fields (LA)	Inslee
Canady	Filner	Jefferson
Cantwell	Fingerhut	Johnson (CT)
Cardin	Fish	Johnson (GA)
Carr	Ford (MI)	Johnson (SD)
Castle	Ford (TN)	Johnson, E.B.
Clay	Fowler	Johnston
Clayton	Frank (MA)	Kanjorski
Clyburn	Franks (CT)	Kaptur
Coleman	Franks (NJ)	Kennedy
Collins (IL)	Furse	Kennelly
Collins (MI)	Gallegly	Kildee
Condit	Gephardt	Kim

King	Murphy	Shays
Klecicka	Murtha	Shepherd
Klein	Neal (MA)	Sisisky
Klink	Neal (NC)	Skaggs
Klug	Oberstar	Skelton
Knollenberg	Obey	Slaughter
Kopetski	Oliver	Smith (IA)
Kreidler	Ortiz	Smith (MI)
LaFalce	Orton	Smith (NJ)
Lambert	Owens	Snowe
LaRocco	Oxley	Spratt
Lazio	Packard	Stark
Leach	Pallone	Stokes
Lehman	Parker	Strickland
Levin	Pastor	Studds
Levy	Payne (NJ)	Stupak
Lewis (CA)	Payne (VA)	Swett
Lewis (GA)	Pelosi	Synar
Lipinski	Penny	Tanner
Lloyd	Peterson (FL)	Tauzin
Lowe	Pickett	Taylor (MS)
Maloney	Pickle	Tejeda
Mann	Pombo	Thomas (CA)
Manton	Pomeroy	Thompson
Manzullo	Poshard	Thornton
Margolies-	Price (NC)	Thurman
Mezvinsky	Quinn	Torkildsen
Markey	Rahall	Torres
Martinez	Ramstad	Torricelli
Matsui	Rangel	Towns
Mazzoli	Ravenel	Trafigant
McCandless	Richardson	Tucker
McCloskey	Roemer	Unsoeld
McDermott	Ros-Lehtinen	Upton
McHale	Rose	Valentine
McHugh	Rostenkowski	Velazquez
McKinney	Roukema	Vento
McNulty	Rowland	Volkmer
Meek	Roybal-Allard	Walsh
Mfume	Sabo	Waters
Mica	Sanders	Watt
Miller (CA)	Sangmeister	Waxman
Mineta	Sawyer	Weldon
Minge	Saxton	Wheat
Mink	Schenk	Williams
Moakley	Schiff	Woolsey
Molinari	Schumer	Wyden
Mollohan	Scott	Wynn
Moorhead	Serrano	Yates
Moran	Sharp	Zeliff
Morella	Shaw	Zimmer

## NAYS—103

Allard	Gingrich	Paxon
Archer	Goodling	Peterson (MN)
Armey	Goss	Petri
Baker (LA)	Grandy	Porter
Ballenger	Gunderson	Portman
Barrett (NE)	Hall (TX)	Pryce (OH)
Bartlett	Hancock	Quillen
Barton	Hansen	Reed
Bateman	Hefley	Regula
Bereuter	Herger	Roberts
Biiley	Hutchinson	Rogers
Bonilla	Inglis	Rohrabacher
Bryant	Inhofe	Roth
Bunning	Istook	Royce
Burton	Jacobs	Sarpalius
Buyer	Johnson, Sam	Schroeder
Callahan	Kasich	Sensenbrenner
Chapman	Kingston	Shuster
Clinger	Kolbe	Skeen
Coble	Kyl	Smith (OR)
Combust	Lancaster	Solomon
Cox	Laughlin	Spence
Cunningham	Lewis (FL)	Stearns
DeLay	Lewis (KY)	Stenholm
Dickey	Lightfoot	Stump
Doolittle	Linder	Talent
Dornan	Livingston	Taylor (NC)
Duncan	Long	Vucanovich
Edwards (TX)	Lucas	Walker
Everett	McCrery	Wilson
Ewing	McInnis	Wolf
Fields (TX)	Meyers	Young (AK)
Frost	Miller (FL)	Young (FL)
Gekas	Myers	
Geren	Nussle	

## NOT VOTING—50

Baker (CA)	Cramer	Grams
Becerra	Crane	Hoke
Bilirakis	Dreier	Huffington
Blackwell	Edwards (CA)	Hunter
Boehner	Flake	Lantos
Borski	Foglietta	Machtley
Brown (FL)	Gallo	McCollum
Clement	Gejdenson	McCurdy
Collins (GA)	Goodlatte	McDade
Cooper	Gordon	McKeon

McMillan	Ridge	Swift
Meehan	Rush	Thomas (WY)
Menendez	Santorum	Visclosky
Michel	Schaefer	Washington
Montgomery	Slaterry	Whitten
Nadler	Smith (TX)	Wise
Reynolds	Sundquist	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill

#### ¶97.31 UNFINISHED BUSINESS—APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. COLEMAN, pursuant to clause 5, rule I, announced the further unfinished business to be the question on agreeing to the Chair's approval of the Journal of Friday, August 12, 1994.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. COLEMAN, announced that the yeas had it.

Mr. RICHARDSON demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 237  
affirmative ..... Nays ..... 147

#### ¶97.32 [Roll No. 399] YEAS—237

Abercrombie	DeFazio	Hayes
Ackerman	DeLauro	Hefner
Andrews (ME)	Dellums	Hilliard
Andrews (NJ)	Derrick	Hinchey
Andrews (TX)	Deutsch	Hoagland
Applegate	Dicks	Hochbrueckner
Bacchus (FL)	Dingell	Holden
Baessler	Dixon	Houghton
Barca	Dooley	Hoyer
Barcia	Dornan	Hughes
Barlow	Durbin	Hutto
Barrett (WI)	Edwards (TX)	Hyde
Bateman	Engel	Inglis
Beilenson	English	Insee
Berman	Eshoo	Jefferson
Beverly	Evans	Johnson (GA)
Bilbray	Everett	Johnson (SD)
Bishop	Farr	Johnson, E.B.
Bonior	Fazio	Johnston
Boucher	Fields (LA)	Kanjorski
Brewster	Filner	Kaptur
Brooks	Fingerhut	Kasich
Browder	Fish	Kennedy
Brown (OH)	Ford (MI)	Kennelly
Bryant	Ford (TN)	Kildee
Byrne	Frank (MA)	Kingston
Cantwell	Frost	Klecicka
Cardin	Furse	Klein
Chapman	Gephardt	Klink
Clayton	Geren	Kopetski
Clyburn	Gibbons	LaFalce
Coleman	Gillmor	Lambert
Collins (IL)	Gilman	Lancaster
Collins (MI)	Glickman	LaRocco
Combust	Gonzalez	Laughlin
Condit	Green	Lehman
Conyers	Greenwood	Levin
Coppersmith	Gutierrez	Lewis (GA)
Costello	Hall (OH)	Lipinski
Coyne	Hall (TX)	Lloyd
Danner	Hamburg	Long
Darden	Hamilton	Lowey
de la Garza	Harman	Maloney
Deal	Hastings	Mann

Manton	Pelosi	Stark
Margolies-	Penny	Stenholm
Mezvinsky	Peterson (FL)	Stokes
Markey	Peterson (MN)	Strickland
Martinez	Pickett	Studds
Matsui	Pickle	Stupak
Mazzoli	Pombo	Swett
McCloskey	Pomeroy	Synar
McDermott	Poshard	Tanner
McHale	Price (NC)	Tauzin
McKinney	Rahall	Tejeda
McNulty	Rangel	Thompson
Meek	Reed	Thornton
Mfume	Richardson	Thurman
Miller (CA)	Roemer	Torres
Mineta	Rose	Torricelli
Minge	Rostenkowski	Towns
Mink	Rowland	Trafigant
Moakley	Roybal-Allard	Tucker
Mollohan	Sabo	Unsoeld
Moran	Sanders	Valentine
Murtha	Sangmeister	Velazquez
Myers	Sarpalius	Vento
Neal (MA)	Sawyer	Volkmer
Neal (NC)	Schenk	Waters
Oberstar	Schumer	Watt
Obey	Scott	Waxman
Oliver	Serrano	Wheat
Ortiz	Sharp	Williams
Orton	Shepherd	Wilson
Owens	Sisisky	Woolsey
Pallone	Skaggs	Wyden
Parker	Skelton	Wynn
Pastor	Slaughter	Yates
Payne (NJ)	Smith (IA)	
Payne (VA)	Spratt	

## NAYS—147

Allard	Gingrich	Packard
Archer	Goodling	Paxon
Armey	Goss	Petri
Bachus (AL)	Grandy	Porter
Baker (CA)	Gunderson	Portman
Baker (LA)	Hancock	Pryce (OH)
Ballenger	Hansen	Quillen
Barrett (NE)	Hastert	Quinn
Bartlett	Hefley	Ramstad
Barton	Herger	Ravenel
Bentley	Hobson	Regula
Bereuter	Hoekstra	Roberts
Biiley	Horn	Rogers
Blute	Hutchinson	Rohrabacher
Boehlert	Inhofe	Ros-Lehtinen
Bonilla	Istook	Roth
Brown (CA)	Jacobs	Roukema
Bunning	Johnson, Sam	Royce
Burton	Kim	Saxton
Buyer	King	Schiff
Callahan	Klug	Schroeder
Calvert	Knollenberg	Sensenbrenner
Camp	Kolbe	Shaw
Canady	Kreidler	Shays
Castle	Kyl	Shuster
Clay	Lazio	Skeen
Clinger	Leach	Smith (MI)
Coble	Levy	Smith (NJ)
Cox	Lewis (CA)	Smith (OR)
Crane	Lewis (FL)	Snowe
Crapo	Lewis (KY)	Solomon
Cunningham	Lightfoot	Spence
DeLay	Linder	Stearns
Diaz-Balart	Livingston	Stump
Dickey	Lucas	Talent
Doolittle	Manzullo	Taylor (MS)
Duncan	McCandless	Taylor (NC)
Dunn	McCrery	Thomas (CA)
Ehlers	McHugh	Torkildsen
Emerson	McInnis	Upton
Ewing	Meyers	Vucanovich
Fawell	Mica	Walker
Fields (TX)	Miller (FL)	Walsh
Fowler	Molinari	Weldon
Franks (CT)	Moorhead	Wolf
Franks (NJ)	Morella	Young (AK)
Gallegly	Murphy	Young (FL)
Gekas	Nussle	Zeliff
Gilchrist	Oxley	Zimmer

## NOT VOTING—50

Becerra	Dreier	Hunter
Bilirakis	Edwards (CA)	Johnson (CT)
Blackwell	Flake	Lantos
Boehner	Foglietta	Machtley
Borski	Gallo	McCollum
Brown (FL)	Gejdenson	McCurdy
Carr	Goodlatte	McDade
Clement	Gordon	McKeon
Collins (GA)	Grams	McMillan
Cooper	Hoke	Meehan
Cramer	Huffington	Menendez

Michel	Santorum	Thomas (WY)
Montgomery	Schaefer	Visclosky
Nadler	Slattery	Washington
Reynolds	Smith (TX)	Whitten
Ridge	Sundquist	Wise
Rush	Swift	

So the Journal was approved.

¶97.33 WAIVING REQUIREMENT OF  
CLAUSE 4(B), RULE XI TO CONSIDER A  
RESOLUTION

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 103-707) the resolution (H. Res. 522) waiving a requirement of clause 4(b) of rule XI with respect to consideration of a certain resolution reported from the Committee on Rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶97.34 SENATE BILL AND JOINT  
RESOLUTIONS REFERRED

A bill and joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 784. An Act to amend the Federal Food, Drug, and Cosmetic Act to establish standards with respect to dietary supplements, and for other purposes; to the Committee on Energy and Commerce;

S.J. Res. 185. Joint resolution to designate October 1994 as "National Breast Cancer Awareness Month"; to the Committee on Post Office and Civil Service; and

S.J. Res. 192. Joint resolution to designate October 1994 as "Crime Prevention Month"; to the Committee on Post Office and Civil Service.

¶97.35 SENATE ENROLLED BILL AND  
JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to an enrolled bill and joint resolutions of the Senate of the following titles:

S. 2099. An Act to establish the Northern Great Plains Rural Development Commission, and for other purposes;

S.J. Res. 153. Joint resolution to designate the week beginning on November 20, 1994 and ending on November 26, 1994, as "National Family Caregivers Week"; and

S.J. Res. 196. Joint resolution designating September 16, 1994, as "National POW/MIA Recognition Day" and authorizing display of the National League of Families POW/MIA flag.

¶97.36 BILLS AND JOINT RESOLUTIONS  
PRESENTED TO THE PRESIDENT

Mr. ROSE, from the Committee on House Administration, reported that that committee did on the following date present to the President, for his approval, bills and joint resolutions of the House of the following titles:

On August 15, 1994:

H.J. Res. 131. Joint resolution designating December 7 of each year as "National Pearl Harbor Remembrance Day";

H.J. Res. 175. Joint resolution designating October 1994 as "Italian-American Heritage and Culture Month";

H.R. 1426. An Act to provide for the maintenance of dams located on Indian lands by the Bureau of Indian Affairs or through contracts with Indian tribes.

H.R. 1933. An Act to authorize appropriations for the Martin Luther King, Jr. Federal Holiday Commission, to extend such Com-

mission, and to support the planning and performance of national service opportunities in conjunction with the Federal legal holiday honoring the birthday of Martin Luther King, Jr.

H.R. 4453. An Act making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes.

H.R. 4277. An Act to establish the Social Security Administration as an independent agency and to make other improvements in the old-age, survivors, and disability insurance program.

H.R. 4426. An Act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1995, and making supplemental appropriations for such programs for the fiscal year ending September 30, 1994, and for other purposes.

H.R. 2243. An Act to amend the Federal Trade Commission Act to extend the authorization of appropriations in such Act, and for other purposes.

H.R. 4506. An Act making appropriations for energy and water development for the fiscal year ending September 30, 1995, and for other purposes.

¶97.37 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BILIRAKIS, for today;

To Mr. BECERRA, for today; and

To Mr. MCKEON, for today.

And then,

¶97.38 ADJOURNMENT

On motion of Mr. BURTON, at 7 o'clock and 25 minutes p.m., the House adjourned.

¶97.39 REPORTS OF COMMITTEES ON  
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BROOKS: Committee on the Judiciary. H.R. 934. A bill to amend title 28, United States Code, relating to jurisdictional immunities of foreign states, to grant jurisdiction to the courts of the United States in certain cases involving torture or extrajudicial killing occurring in that state; with amendments (Rept. No. 103-702). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on the Judiciary. H.R. 1103. A bill to amend title 17, United States Code, with respect to secondary transmissions of superstations and network stations for private home viewing, and with respect to cable system; with amendments (Rept. No. 103-703). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Natural Resources. H.R. 4709. A bill to make certain technical corrections, and for other purposes; with an amendment (Rept. No. 103-704). Referred to the Committee of the Whole House on the State of the Union.

Mr. FROST: Committee on Rules. House Resolution 521. Resolution waiving points of order against the conference report to accompany the bill (S. 2182) to authorize appropriations for fiscal year 1995 for military activities of the Department of Defense, for military construction, and for defense programs of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes (Rept. No. 103-705). Referred to the House Calendar.

Mr. STUDDS: Committee on Merchant Marine and Fisheries. H.R. 4422. A bill to authorize appropriations for fiscal year 1995 for the Coast Guard, and for other purposes, with an amendment (Rept. No. 103-706). Referred to the Committee of the Whole House on the State of the Union.

Mr. DERRICK: Committee on Rules. House Resolution 522. Resolution waiving a requirement of clause 4(b) of rule XI with respect to consideration of a certain resolution reported from the Committee on Rules (Rept. No. 103-707). Referred to the House Calendar.

Mr. MOLLOHAN: Committee on Conference. Conference report on H.R. 4603. A bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies programs for the fiscal year ending September 30, 1995, and making supplemental appropriations for these departments and agencies for the fiscal year ending September 30, 1994, and for other purposes (Rept. No. 103-708). Ordered to be printed.

¶97.40 SUBSEQUENT ACTION ON A  
REPORTED BILL SEQUENTIALLY  
REFERRED

Under clause 5 of rule X the following action was taken by the Speaker:

Referral of H.R. 2680 to the Committee on Government Operations extended for a period ending not later than August 17, 1994.

Committee on Merchant Marine & Fisheries discharged H.R. 2866, referred to the Committee of the Whole House on the State of the Union and ordered printed.

¶97.41 REPORTED BILLS SEQUENTIALLY  
REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. DE LA GARZA. Committee on Agriculture. H.R. 2866. A bill to provide for the sound management and protection of Redwood forest areas in Humboldt County, CA, by adding certain lands and waters and the Six Rivers National Forest and by including a portion of such lands in the national wilderness preservation system, with an amendment; referred to the Committee on Merchant Marine and Fisheries for a period ending not later than August 16, 1994, for consideration of such provisions contained in the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(m), rule X (Rept. No. 103-667, Pt. 2).

¶97.42 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COX (for himself and Mr. CALVERT):

H.R. 4966. A bill to authorize the Secretary of Agriculture to enter into a land exchange involving the Cleveland National Forest, California, and to require a boundary adjustment for the national forest to reflect the land exchange, and for other purposes; to the Committee on Natural Resources.

By Ms. COLLINS of Michigan:

H.R. 4967. A bill to designate the Federal building and U.S. courthouse in Detroit, MI, as the "Theodore Levin Federal Building and United States Courthouse"; to the Committee on Public Works and Transportation.

By Mr. MOLLOHAN:

H.R. 4968. A bill to authorize extensions of time limitations in a FERC-issued license; to the Committee on Energy and Commerce.

By Mr. SCHUMER (for himself, Ms. VELAZQUEZ, Mr. SERRANO, Ms. LOWEY, and Mr. OWENS):

H.R. 4969. A bill to amend the Communications Act of 1934 to limit the rates and charges that may be imposed on interstate and foreign communications made through providers of operator services; to the Committee on Energy and Commerce.

By Mr. SOLOMON:

H.R. 4970. A bill to amend vaccine injury compensation portion of the Public Health Service Act to permit a petition for compensation to be submitted within 48 months of the first symptoms of injury; to the Committee on Energy and Commerce.

By Mr. TORRICELLI (for himself, Mr. JACOBS, Mr. DEUTSCH, Mr. MANTON, Mr. GEJDENSON, and Mr. SWETT):

H.R. 4971. A bill to amend the Animal Welfare Act to strengthen the annual reporting requirements of research facilities conducting animal experimentation or testing and to improve the accountability of animal experimentation programs of the Department of Defense; jointly, to the Committees on Agriculture and Armed Services.

By Mr. TRAFICANT:

H.R. 4972. A bill to amend the Public Buildings Act of 1959 to ensure that any lease entered into by a Federal agency for office, meeting, storage, and other space necessary to carry out the functions of the Federal agency shall be subject to the leasing requirements of the Public Buildings Act of 1959; to the Committee on Public Works and Transportation.

By Mr. GUTIERREZ:

H. Con. Res. 283. Concurrent resolution designating August 24, 1994, as "Ukrainian Independence Day"; to the Committee on Foreign Affairs.

By Mr. VENTO:

H. Res. 520. Resolution providing for the concurrence by the House, with an amendment, in the amendment by the Senate to the bill H.R. 1305; rules suspended, considered and agreed to.

#### ¶97.43 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 778: Mr. COPPERSMITH.  
 H.R. 1080: Mr. GUNDERSON.  
 H.R. 1110: Mr. GUNDERSON and Mr. SKEEN.  
 H.R. 1289: Mr. BARCA of Wisconsin.  
 H.R. 1500: Mr. ANDREWS of Texas, Mr. BROWN of Ohio, Mrs. CLAYTON, Ms. ESHOO, Mr. FINGERHUT, Mr. ENGEL, Mrs. MINK of Hawaii, Mr. PAYNE of New Jersey, Mr. TORRES, and Mr. FORD of Tennessee.  
 H.R. 2292: Mr. LEVIN and Mr. GUNDERSON.  
 H.R. 2355: Ms. LAMBERT.  
 H.R. 2467: Mr. MCCLOSKEY.  
 H.R. 2488: Mr. ACKERMAN.  
 H.R. 2588: Mr. HAMBURG.  
 H.R. 2956: Mr. COPPERSMITH.  
 H.R. 3207: Mr. MCDERMOTT, Mr. APPELGATE, Mr. JOHNSON of South Dakota, Mr. EVANS, Mrs. SCHROEDER, and Mr. EDWARDS of California.  
 H.R. 3523: Mr. ANDREWS of New Jersey, and Mr. GUNDERSON.  
 H.R. 3712: Mr. APPELGATE, Mr. PICKLE, Mr. YATES, Mr. MARTINEZ, Mr. ENGEL, Mr. BEIL-ENSON, Mr. MCCLOSKEY, Mr. HEFNER, Mr. TOWNS, Mr. MONTGOMERY, Mr. LEHMAN, Mr. DEFAZIO, Mr. CLYBURN, Mr. HASTINGS, Mrs. MEEK of Florida, Mr. BLACKWELL, Mr. SYNAR, Mr. FROST, Mr. RANGEL, Mr. EVANS, Mr. HILLIARD, Mr. BEVILL, Mr. JOHNSON of South Dakota, Mr. WATT, Mr. LIPINSKI, Mr. BERMAN, Mr. SABO, Mr. CLAY, Mr. ACKERMAN, Mr. EMERSON, Mr. ROMERO-BARCELÓ, Mrs. LOWEY, Mr. KOPETSKI, Mr. KREIDLER, and Mr. FARR.  
 H.R. 3971: Mr. EMERSON.  
 H.R. 4026: Mr. WAXMAN.  
 H.R. 4213: Mr. MEEHAN and Mr. SWETT.  
 H.R. 4251: Mr. HINCHEY.  
 H.R. 4321: Mr. KING.

H.R. 4345: Mr. DELLUMS.

H.R. 4369: Mr. CALVERT and Mr. BARTON of Texas.

H.R. 4371: Mr. CAMP.

H.R. 4423: Mr. MURTHA, Mr. LINK, and Mr. FOGLIETTA.

H.R. 4437: Mr. NADLER.

H.R. 4497: Mr. LEACH, Mr. KOPETSKI, Mr. HANCOCK, Mr. DE LA GARZA, Mr. SCHAEFER, Mr. FIELDS of Louisiana, Mr. HUTTO, Mr. WHEAT, Mr. SUNDQUIST, and Mr. TAYLOR of Mississippi.

H.R. 4566: Mr. KNOLLENBERG.

H.R. 4570: Mr. RIDGE, Mr. SAWYER, Mr. MILLER of California, Mr. HEFNER, and Mr. BEIL-ENSON.

H.R. 4643: Mr. SCOTT.

H.R. 4654: Mr. LEVY.

H.R. 4749: Mr. RICHARDSON.

H.R. 4805: Mr. KLECZKA and Mr. STUMP.

H.R. 4831: Mr. FALEOMAVAEGA and Mr. KIM.

H.R. 4861: Mr. DELAY, Mr. INGLIS of South Carolina, Mr. KYL, Mr. HOBSON, Mr. PORTMAN, Mr. EHLERS, Mr. GILCHREST, Mr. FRANKS of Connecticut, Mr. FRANKS of New Jersey, Mr. HOKE, Mr. RAMSTAD, and Mr. LEVY.

H.R. 4919: Mr. BEREUTER and Mr. SYNAR.

H.J. Res. 365: Mr. HUTCHINSON.

H. Con. Res. 148: Mr. KASICH and Mr. STUMP.

H. Con. Res. 233: Mr. CARR, Mr. PRICE of North Carolina, Mr. DIXON, Ms. WATERS, Mr. TORRES, Mr. BRYANT, Mr. TUCKER, Mr. MATSUI, and Mr. FORD of Tennessee.

H. Res. 86: Mr. HUFFINGTON.

H. Res. 480: Ms. PRYCE of Ohio, Mr. BURTON of Indiana, Mr. MILLER of Florida, Mr. LIVINGSTON, Mr. CALVERT, Mr. GINGRICH, Mr. SMITH of Texas, Mr. GOODLING, and Mr. HASTERT.

### WEDNESDAY, AUGUST 17, 1994 (98)

The House was called to order by the SPEAKER.

#### ¶98.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, August 16, 1994.

Ms. DELAURO, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Ms. DELAURO objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 5, rule I, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

#### ¶98.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

3713. A letter from the Secretary, Department of Defense, transmitting the 1994 Joint Military Net Assessment, pursuant to 10 U.S.C. 113(j)(1); to the Committee on Armed Services.

3714. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement with the Republic of Korea (Transmittal No. DTC-27-94),

pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

3715. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement with Finland (Transmittal No. DTC-26-94), pursuant to 22 U.S.C. 2776(c); to the Committee on Foreign Affairs.

3716. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed approval of manufacturing license agreement with Japan (Transmittal No. DTC-28-94), pursuant to 22 U.S.C. 2776(d); to the Committee on Foreign Affairs.

3717. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions by Robert Edward Service, of California, to be Ambassador to the Republic of Paraguay, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3718. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 94-32: RFE/RL Relocation, pursuant to Public Law 103-236, section 308(k)(2)(B) (108 Stat. 439); to the Committee on Foreign Affairs.

#### ¶98.3 VA AND HUD APPROPRIATIONS

On motion of Mr. STOKES, by unanimous consent, the bill (H.R. 4624) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1995, and for other purposes; together with the amendments of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. STOKES, it was,

*Resolved*, That the House disagree to the amendments of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Thereupon, the SPEAKER pro tempore, Ms. DELAURO, by unanimous consent, announced the appointment of Messrs. STOKES, MOLLOHAN, CHAPMAN, Ms. KAPTUR, Messrs. TORRES, THORNTON, OBEY, LEWIS of California, DELAY, GALLO, and MCDADE, as managers on the part of the House at said conference.

*Ordered*, That the Clerk notify the Senate thereof.

#### ¶98.4 PROVIDING FOR THE

CONSIDERATION OF H.R. 4906

Mr. MOAKLEY, by direction of the Committee on Rules, called up the following resolution (H. Res. 513):

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4906) to amend the Congressional Budget and Impoundment Control Act of 1974 to limit consideration of nonemergency matters in emergency legislation. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed one hour divided and controlled by the chairman and ranking